

P.R.O. ASSIZE ROLL 505: EDITED WITH AN
INTRODUCTION ON THE WAR-TIME ADMINISTRATION
OF LINCOLNSHIRE, 1294-8.

by

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Thesis submitted for the Degree of Ph.D.



CONTENTS

1. INTRODUCTION.

The Commission of Enquiry.

The Itinerary of the Justices.

The War as it came home to Lincolnshire:

The Smaller Burdens

Taxes on movables

Prises ad opus Regis

Jury Service.

The Royal officials of A.R. 505.

Remedies.

Causes of Misgovernment: The Place of
the 1298 Enquiry.

Appendices.

II. TRANSCRIPT of A.R. 505.

ABBREVIATIONS USED. ---

Parl.Writs.	Parliamentary Writs (Record Commission)
Stats.Realm	Statutes of the Realm (Record Commission)
Foed.	Rymer, Foedera (Record Commission)
P.R.O.,Parl.Proc.	Public Record Office, Parliamentary Proceedings
A.R.	Assize Roll
K.R.M.R.	Memoranda Roll (King's Remembrancer)
L.T.R.M.R.	Memoranda Roll (Lord Treasurer's Remembrancer)
Sher.Admin.Accts.	P.R.O. Sheriffs' Administrative Accounts
Pipe	P.R.O. Pipe Roll
Min.Accts.	P.R.O. Ministers' Accounts
Reg.Sutt.	Register of Oliver Sutton, Memoranda (in Diocesan Record Office Lincoln)
Subs.Roll (Lay)	P.R.O. Subsidy Roll (Lay Series)
Feet of Fines	P.R.O. Feet of Fines
Pat.Roll	P.R.O. Patent Roll
B.Cott.	Bartholomew Cotton, Historia Anglicana (Rolls Series)
Trivet	Nicholas Trivet, Annales
W.Hem.	Walter of Hemingburgh, Chronicon, ii
C.P.R.	Calendar of Patent Rolls

/contd.

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1270, *The King's Council*, app. 1, pp. 48-9.

[3] *P.R.O. Lists and Indexes*, p. 338.

[4] For these particulars I am indebted to Dr. M. Roth-
well, who has also written on *The Discreet of*
Lincoln, in *M.M.S.* 11711, pp. 237-54.

THE COMMISSION OF ENQUIRY.

On Friday 14 March 1298 Edward I returned to England from Flanders, having agreed to a truce between himself and Philip IV of France, with whom he had been at war for rather more than three years.

Next day he had writs issued summoning a council to be held on the 30th⁽¹⁾. At this council were discussed the

practical steps to be taken for the redress of public grievances against the royal administration of the war period, and the king and council together drew up an

ordinance for redress.⁽²⁾ Letters patent of 4 April appointed justices to hear pleas, under the terms of the ordinance, in all the counties of England except

Northumberland, Cumberland, Westmorland, Durham and

Chester.⁽³⁾ Records of the enquiry survive for Lincolnshire, Norfolk, Notts, Yorkshire, Suffolk, Gloucester,

Worcester and Staffs, of which the Norfolk and Lincs

rolls are the most complete.⁽⁴⁾ Assize Roll 505, the basis of the present study, is the roll for Lincolnshire.

It is no part of this study to trace the antecedents/

(1) Parl. Writs, I, 65.

(2) P.R.O. Parl. Proc. file ii, no. 26, cf. Baldwin, J.F., The King's Council, app. i. pp. 465-6.

(3) C.P.R. 1292-1301, p. 338.

(4) For these particulars I am indebted to Dr. H. Rothwell; cf. also his note on The Disgrace of Richard of Louth, in E.H.R. xlviii, pp. 259-64.

antecedents of the war which broke out against France in June 1294, after a protracted series of acts of piracy by land and especially by sea; still less is an account of the war itself called for. The place for relevant historical detail of a general nature is in conjunction with an account of the war as it came home to Lincolnshire in the form of burdens laid upon the people, and there, where necessary, these details will be given.

But the immediate antecedents of the 1298 enquiry are important for an appreciation as to why, from the king's standpoint, an enquiry was called for at all. A baronial crisis, sponsored by the Earls Marshal and Constable, was precipitated when it became known that certain of the baronage were to go to Gascony, but that the king was himself to lead an army against Philip from Flanders. When the military levy met at London in July 1297, the Earls Marshal and Constable not only refused their duty of organising it but also refused service either in Gascony or Flanders. They based their decision on feudal grounds, and on the same grounds they carried a considerable proportion of the baronage with them. Edward persisted in his purpose, committed thereto by his alliance with the Count of Flanders, but he left a formidable opposition behind him when he sailed for Flanders at the end of August.

The/

The baronial revolt was the more serious because of its attempt to enlist popular support. The question of feudal irregularity, taken by itself, was a personal one as between the baronage and the king, though action taken upon it might affect the national welfare; but the Earls joined it to a much wider demand. This was embodied in a manifesto which not only recited the feudal complaint, but added a detailed list of alleged public grievances, and these were made to lead up to the fundamental and ominous demand for a new confirmation of Magna Carta and the Charter of the Forest.

It will be best to let the Earl's manifesto speak for itself. In it, they say this:

'It/

(1) Issued in the summer of 1297; the date is uncertain.

(2) The evidence of A.R. 505 as to this is conflicting. While Edward's war undoubtedly led to hardship, it will be shown that the complaints recorded in the roll are in the main of a different character.

(3) For the texts, see Appendix I, p.

'It appears to the whole community of the land that the notification which had been made to them by the king's writ was not full enough, because it had not assigned or specified a definite place to which they should go; for according to the place they had to make provision, and could tell whether they owed service there
(1)
or not.

'Forasmuch as it is commonly reported that our lord wills to go abroad into Flanders, it seems to the whole community that they ought to do no service there, because neither they nor their predecessors nor their ancestors ever did service in that country; and however much it might be that they owe service there or elsewhere, they have not the ability to do it, for they are burdened by many/

-
- (1) The warning to tenants-in-chief, issued 5 May (C.C.R. 1296-1302, p. 105) told them to be ready for military service '*quandocunque eis demandaret*,' and the writ of 15 May told them to be ready to go abroad with the king 'to parts beyond sea.' (Ibid., p. 112). Apart from the preamble, this is the first article in the versions of Cotton, Trivet and Hemingburgh. To a formal age like the 13th century technical correctitude was a sine qua non; in their own eyes, therefore, the Earls were justified in refusing service. The importance of technical correctitude is well shown in another field: in 1301 an assize of novel disseisin was lost by the plaintiff because the defendant proved that the land in question was at Halstead in Stixwoud, while the plaintiff had said it was at Halstead-iuxta-Stixwoud (A.R. 1320, m.24). If technical correctitude could be carried so far in a small issue, it is little wonder that the earls made difficulties over a large one.

hides many tallages and prises of corn, oats, malt, wool, skins, oxen, cattle, salted flesh, without being given payment, by which they should have been maintained and sustained. Therefore they can give him no help because of the said tallages and prises, for they have scarcely enough to live on, (1) nor can they cultivate their lands.

Furthermore the plight of the people is most grave, since they are in no way governed according to the law and customs of the land, by which they and their ancestors before them used to be governed; nor have they their liberties which they used to have, but are excluded from them arbitrarily, whereby they feel themselves most grievously burdened.

Moreover, both clergy and laity are greatly oppressed by this, that they used to be governed according to the articles of the Great Charter, which articles are continually trespassed: which thing causes great distress to the people and great peril to those who will not pay attention to it, wherefore they pray our lord the king that he will have this matter set right, to his own honour and for/

(1) The whole question of prise is discussed below, pp.

(1)

for the safety of his people.

'And forasmuch as the community of the realm desires the honour and safety of our lord king, as they ought to desire it, it does not seem to them that it would be wise for him or to his honour to cross into Flanders, unless there were greater assurances for him and for his people, which they do not believe to be the case yet.

And also because of Scotland, which is beginning to rebel against him so much when he is at home; and they are of the opinion that they (the Scots) will prepare in a worse manner should they know

(2)

that he has crossed the sea: and by no means merely them, but other countries which are not yet well attached.

'All the community of the realm feels itself heavily burdened by the maltote on wool, which is too crushing: 40 shillings per sack of whole wool and 5 marks per sack of broken wool, because the wool of England amounts to almost half/

(1) Trivet (p. 361) omits mention of the clergy and contents himself with a vague 'se'; Cotton alone gives the veiled threat to those in authority.

(2) As the event proved, this was well founded. Edward sailed about 23 August 1297; immediately afterwards the Scots revolted in force, and on 11 September occurred the battle of Stirling, in which the English were defeated; as a result of it the English lost Berwick. (Cott., p. 337).

half the value of the whole land, wherefore the maltote levied amounts to a fifth of the value of the whole land by this prise.

'Moreover the whole community feels itself misgoverned and burdened by the assize of the forest, which is no longer adhered to as it used to be. Furthermore the Charter of the Forest is not observed, but arrests are made and heavy ransoms taken at will, beyond the assize and otherwise than used to be done.'

Edward was under no illusions as to the danger inherent in this manifesto, especially since it had come to his knowledge that it was being widely circulated, and he felt it necessary, on 12 August, 1297, to issue to all sheriffs a letter giving his own, official, version of the situation, with instructions that it should be made public.

(1)

As this letter is extremely long, I summarise it, translating in full only those parts which are of central importance. The original of these passages is given in footnotes.

The/

(1) B. Cott., pp. 330-4; Foed. I, pp. 872-3. The two texts vary only in minute details, mostly unimportant as regards the sense of the wording.

The letter begins with a general preamble in which Edward expresses his earnest desire for the peace, tranquillity and prosperity of his people. This is followed by a promise that when he returns from his proposed expedition abroad - to Flanders - 'all causes by which the said peace and tranquillity can be in any way disturbed shall be wholly taken away: wherefore no persons shall be able to say and make the people believe any matters not true, whereby the people could be moved to bring them before their ⁽¹⁾ liege lord otherwise than they ought to do.'

Edward immediately adds that in his opinion this is why the Earls Constable and Marshal 'have ⁽²⁾ removed themselves from him recently,' or, he hints ⁽³⁾ darkly, 'because of something else.' Since the Earls have/

(1) ... totes enchesuns, par queles la dite pees et quiete pussent estre en nule manere troublez, e seyent de tut ostez; kar acune genz purreyent dire et fere entendre au pople acune paroles nen verreyes, de queles meyme le pople purreyt estre moeus, de eus porter enver lur lyge seynur, aytrement ke fere dussent...

(2) ... qe le cunte de Herford, e le cunte mareschal se enlongerent de ly ny ad guers . . .

(3) . . . u en dreyt de autre chose . . .

have now followed their own devices for some time,
 the king 'makes this known and ^{vow} wills that all should
 (1)
 know the truth of it.'

The king then rehearses the procedure taken
 to ascertain what knights were willing to take service
 with him abroad, the responsibility for which enquiry
 rested upon the Earls Marshal and Constable. The
 knightage were to be before the Earls on July 1, ac-
 (2)
 cording to Edward. On the evening upon which this
 order was given, the Earls sent a letter to the king
 in these terms; 'Forasmuch, Sire, as you have ordered
 the Marshal, through the Constable and by a bill,
 that he is to proclaim throughout the city that all
 those who have come at your summons or by request are
 to be before them on the morrow of St. Paul at the
 hour of prime, and that they are to enrol how many
 horses, of the one part and of the other, each can
 provide: ^{and make this known to you} this they would have you know: your con-
 stable and your marshal pray you that for this duty
 you/

at St. Paul

(1) . . . ceo fet a saver et vout ke tuz en sachent
 la verite . . .

(2) . . . lemdemeyn de Seyn Poel . . But this is a
 whole week before the official date for muster-
 ing. It seems as though there was a preliminary
 meeting of the chief officers to settle points
 of the procedure to be adopted when the levy
 actually met on the 7th.

a

you would appoint someone else in your household. And forasmuch, Sire, as you know well that they have come here at your request, and in no wise by summons, if they ^{did} do this they will enter into their office to do service; for which reason they pray you that you will ⁽¹⁾ appoint someone else.'

At first the king refused to accept their resignation, and sent a deputation to them to 'advise ⁽²⁾ them better about this' and to see that they did nothing which might prejudice either the king or themselves. The Earls remained obdurate and the king therefore appointed another constable and marshal; upon which Bohun and Bigod removed themselves from the court. At this point the Archbishop of Canterbury/

(1) Pur ceo, cher sire, ke wus mandastes au mareschal par le conestable et par une billie, ke il feyt crier par my la vile, ke tuz ceus, ke sunt venuz par vostre sumuns, ou par priere, fussent demeyn devant eus, a Seynt Poel, a hure de prime; e ke il feysent mettre en roule cumben de chivaus des uns et des autres checun poeyt trouver; et ceo wus feyssent a saver: vus prient, vostre conestable, et vostre mareschal, que ceste chose vousisset comaunder a autre de vostre ostel. E pur ceo, sire, ke vus ben savez ke eus sunt ycy venuz par vostre priere, et ne mye par somuns, si ceo feysent, il entreyent en lur office pur service fere; pur quey il wus prient que wus voylez comaunder a autre.

(2) . . . pur eus meuz aviser sur ceo . . .

Canterbury and a deputation of bishops asked the king's permission to consult the Earls. It was granted, and the archbishop and his colleagues arranged to meet the Earls at Waltham on July 26. The Earls, says Edward, did not come in person, but sent proxies, who told the archbishop that the Earls 'could in no wise come there.'

The result of this meeting with the proxies was a grant of safe-conduct by the king for the Earls to come in person to him, stay with him and return. This was given to the proxies for delivery, 'but,' maintains Edward, 'at no time after this did the Earls come to the king, nor did they send; nor yet do they send/

- (1) . . . a Waltham le vendredy lendemeyn de la feste Seyn Jake . . .
- (2) . . . e li dites cuntes ne vindrent mie, mes enveyerent illoques munsire Robert le fiz Roger, et munsire Joan de Segrave, chivalers, ke distrent de par les cuntes, ke il ne porreyent venir a dunke par acune resun.
- (3) . . . le roy graunta sauf cundut a ditz cuntes, e bailla ses lettres a ditz chivalers, contenauntz suffisaunt terme, dedens le quel le ditz contes puissent seurement, e sur seur condut, venir au roy, et demurer, et retorner . . .
- (4) i.e. at the date of writing, 12 August.

(1) Les barons qui le contes au roy ne vindrent, ne enveyerent, ne munsire Robert le fiz Roger, ne le roy munsire. Or quant ce fut, ke acune gent n'at fet entendement al peuple, ke les cuntes envenyrent al roy certains articles par le conseil par filz du peuple du royaume et le li roy deit aver reue et seundit les ures; de quey le royaume est reue; par ce n'at li munsire, ne ne lient munsire, ne ne est par quey ce seyt, que il se pastent. Les barons de jure de ce, ke il venissent a ly . . .

send or come, so far as the king knows. 'As,' he continues, 'it may be that some persons give the people to understand that the Earls presented to the king certain articles for the common good of the people of the realm, and that the king must have repudiated them and has suppressed them altogether: as to this the king knows nothing, for they presented nothing to him nor caused anything to be shown him; nor does he know why it should be that they withdrew themselves, but believed from day to day that they would come to (1) him.'

It is in the next paragraph of his letter that Edward reveals his excellent knowledge of the contents of the articles, in spite of his preliminary protestation to the contrary: 'Among these articles are contained, it is said, certain grievances that the king has caused in his realm, the which he knew well, such as the aids which he has often demanded from his people, which thing he had to do by the occurrence of wars which have been stirred up against him in Gascony, in Wales, in Scotland and elsewhere, from which/

(1) Mes unkes pus le cuntes au roy ne vindrent, ne enveyerent, ne uncore enveent ne venent, que le roy sache. Ore pust estre, ke acune gent unt fet entendaunt al pople, ke les cuntes mustrent al roy certeyns articles pur le commun profit du pople du reaume et ke li roy deyt aver refuse et estundit tut utre; de quey le royne set rens; kar ren ne li mustrent, ne ne firent mustrer, ne ne set pur quoy ceo seyt, que il se restrestrent. Ens entendy de jur en autre, ke il venissent a ly . . .

which it was impossible to defend himself or his realm without the help of his good people: concerning which it gives him much grief that he has burdened them so much and injured them so much; and he prays them that they will accept this as his reason, since ^{held him accused as one who} what was taken was in no way to buy lands or tenements or castles or vills, but for the defence of him and of themselves and for all the realm.

'And if God permits him ever to return from the expedition which he is now making, he wills well that all should know that he has the intention, and a great desire, to make full amends according to the will of God and to the wish of his people, as soon as ever he may.' ⁽¹⁾

There follows an expedient proviso that should/

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- (1) Entre les quels articles contenu est, a ceo ke hum dit, des aucune grevaunces, que le roy a fet en son reaume, le queles il conu ben, come des eydes ke il ad demaunde sovente fez de sa gent; la quele chose li ad covenu fere par encheson de guerres, ke ly unt este mues in Gasconye, en Gales, en Escoce, a en aliurs; de ques il ne porreyt li, ne son reaume defendre, saunz ayde de sa bone gent; dunt il li peyse mult, que il les ad taunt greve, e taunt travayllie, e lur prie ke il le vollyent i aver pur escuse, cum cely que ad les choses mises, ne mye pur achater terres, ne tenemens, ne chateaus, ne viles; mes pur defendre luy et eusmemes, et pur tut le reaume. Et si Deu luy doynt jamer recoveryr de veyage, kil fet ore, it vout ben ke tuz sachent que il ad volunte et grant desir de le amender bonement a la volunte de Deu, et a gre de son pople, taunt avaunt cum il devera . . .

should Edward not return, he will require his heir to act in his stead in this matter. The next part of the letter is a not less expedient defence of the proposed expedition to Flanders. This, he says, has been undertaken to assist his ally, the Count of Flanders; it is an urgent necessity, 'because of the great peril in which his friends on the other side stand, whereby if they were to be defeated, the realm might fall into great peril afterward, which God forbid.⁽¹⁾' This plea is followed by a promise to confirm the Charters, on condition that 'they would make him a general grant,⁽²⁾ as was most necessary for him at that moment.' He asks that they would not fail him, for the request in no way bound them; in effect, all this is ultimately to relieve their sufferings, since out of it, he hopes, will come a lasting peace. Hence 'each ought to hold himself agreed to this grant, by which they can the sooner be delivered from their distress and injuries which they had and have even to this hour: so none/

(1) . . . pur le graunt peril en le quel les amys le roy de la sunt; par les queles, si perdissent, le reaume purroyt chayr en graunt peril apres, ke Deu defend . . .

(2) . . . si ly graunterent un commun dun tel, com ly est mult boysoynable en poynt de ore . . .

~~of any~~
~~to none~~
 none shall make you believe, before the peace, that the king had refused articles or other things, against the common good of the realm, to disgrace or destroy his people, or that he has otherwise acted against the Earls, than in the manner aforesaid, ^{he} He begs that none will by any means believe it, for this is the whole course of the matter and the truth, ^{how} as these things have gone up to now.⁽¹⁾

The letter, hitherto moderate in tone, ends on a note of stern warning. This follows an exhortation to remember previous discords between king and people - a reference, no doubt, to the baronial wars at the end of the previous reign. 'And should people now believe these things to be other than they are, it may happen that a quarrel will ensue which will be more perilous and more grave than ever was in this land. And all those who trouble the peace of this realm in any/

(1) . . . par unkes checun se deyt memes tenir egreez de ceo doun; e pur quey il purrunt estre le plustost delivere des anguisses, et de travals, que il cunt, e unt en avaunt ceste ure; e si nuls vus feyssent entendaunz, avaunt le pes, ke le roy ust refuse articles ou autre choses cuntre le commun profit de reaume, pur son pople honyr et destruyre, u ke il out autrement uvere enver les cuntres, ke en la manere surdite; il prie ke hom ne creyt mie, kar ceo est tut le proces et la verite, coment les choses sunt ales jekes a ore.

any way that may be, and all those who owe or give help or favour, secretly or openly to the troublers, with money or horses or arms or equipment, of what condition or estate soever they be, are excommunicated: from which sentence of excommunication none can be absolved without special sanction from the Pope, except at the point of death . . . whereby everyone is warned to take heed to themselves.⁽¹⁾ And having issued both warning and threat, Edward closes an astute piece of propaganda with a confident reiteration of his trust in his people to support the Flanders expedition.

The meeting of the military levy, in July 1297, which witnessed the Earls' refusal of duty, was also the occasion of Edward's promise of a new confirmation of charters if the clergy^{would} give a subsidy, the baronage a grant of 1/8 of movables and the towns 1/5.⁽²⁾ When, therefore, the Earls Marshal and Constable appeared/

Moses our
cleverest J's
bull. which
was it?

(1) E si hom creyt, ore cestes autrement ke eles ne sunt, purreyt avenyr que ryote ensurdreyt, la quele serroyt plus perilliuse et plus greve, que nesteyt unkes nule en ceste terre. E sunt ecomengez tuz iceus, que trublent la pes de cest reaume, en quele manere ke ceo soyt; e tuz ceous ke a trublours en argent, ou en chivaus, u en armes, ou atrement, douvent, u funt ayde, u favour, privement ou apertement, de quel condicioun u estat ke il seyent. De la quele sentence de escumenge nul ne poet estre assouz, saunz especial comaundement del apostolie, fors ke en article de mort . . . par quey il est mester ke chescun se garde . . .

(2) Cf. Stubbs, ii. 136; see also above, p. xiv.

appeared vi et armis at the head of their supporters before the exchequer as soon as the king had sailed⁽¹⁾ for Flanders, with the backing of the Londoners and the implicit sympathy of the clergy, and similarly⁽²⁾ at the parliament of 30 September, they were able to enforce the desired and promised confirmation of the Charters; and Edward, deeply committed in Flanders, and faced with a threat of civil war at home, had no choice but to comply, a necessity the more urgent because of the recent defeat of the English at Stirling Bridge (Sept. 11) and the subsequent advance of the Scots to the border.⁽³⁾

Is it significant that Edward's first public act after his return from Flanders was to set up an enquiry into just the type of grievance alleged by the Earls? In addition to their demand for the confirmation of the Charters they had required the enactment of certain supplementary articles, the so-called Confirmation of Charters of 1297, which amounted among other things, to an agreement not to draw into a precedent the taking of prizes and similar exactions over/

(1) Aug. 22, 1297. L.T.R.M.R. 68, m.58d.

(2) W. Hem. ii. 147.

(3) cf. B. Cott. 337.

over and above the ancient and well-recognised ones. There is, it is true, no evidence that Edward made any specific promise beforehand to enquire into grievances by legal process, but apart from the general undertaking implicit in the Confirmation of Charters, there is the somewhat vaguely phrased assurance in the royal letter of 12 August, to the effect that the king wishes all to know his intention and desire to make full amends according to the wish of his people, as soon as he may. ⁽¹⁾ This assurance, coupled with the fact that he lost no time in setting up an enquiry into grievances on his return, does suggest rather pointedly that he had had the idea of a general enquiry in his mind ever since the seriousness of the situation was brought home to him. Grounds of expediency seem to support this view. It would help to reassure the discontented section of the baronage and could not fail to impress the people at large, and the allegiance of all sections of the community was essential in view of the Scottish menace. To remove this, war would have to continue and would have to be carried into Scotland, and the community would again be called upon to furnish supplies for the army. They would be the more ready to do this if they were given

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(1) See above, pp. viii, xiii.

a practical demonstration of the king's concern for their interests. If this view be correct, then the 1298 enquiry does possess a political significance of its own, apart from its bearing upon the constitutional and administrative issues of the time.

Accordingly, at the council meeting which began on 30 March 1298, an ordinance for redress was drawn up in the following terms and issued under date ⁽¹⁾ 4 April:

'Since the king, before his passage to Flanders, had the will and desire to have redressed and amended the grievances done to his people in his name, and as regards this would send his letters to all the counties of England to put this matter in train: It is ordained by him and his council that in each county shall be appointed four persons, that is to say two knights, of whom one shall be sent by the king and the other selected from the county; one clerk and one religious, who shall be good and lawful men and well-informed, to enquire into all kinds of grievances, as of things taken from Holy Church, of prises of wool, wool-fells, hides, corn, beasts, flesh, fish and all other kinds of things throughout/

envo iast

(1) The text, in P.R.O. Part. Proc. file ii, no. 26, which I have examined, is given in Appendix I, p. 201 ix

throughout the realm, from clergy and laity, since the war began between the king of France and him; were this for the custody of the sea or otherwise. And they shall enquire likewise as to those by whom and from whom, and of what kind and how many and of what value and how and in what manner these prises and grievances were done to the people. And those appointed shall have full power of enquiring, hearing and determining, whether by virtue of their office or at the suit of anyone. And when the truth of these things shall be ascertained, whether it was by warrant or without warrant, what shall have been taken without warrant shall be returned to those who have received the injury, if the wrongdoers have that out of which they can be punished. And if they have not, those to whom the warrants and commissions have come, as sheriffs, appointed clerks, bailiffs and other such manner of official, shall be responsible for their subordinates who have made such prises. And as to that which shall be found to have been taken by warrant, the king shall be certified of it, so as to make what payment they feel to be reasonable.'

weisnes
comes

commissions of
The ordinance was accompanied by ^{commissions of}oyer and
terminer issued under the great seal to the justices
appointed/

(1)
appointed to conduct the enquiry and also dated 4 April:

'The king to his well-loved and trusty
(names of the justices) greeting. As lately, before our passage into Flanders, we had the will and desire to have amended the grievances done to the people of our realm, in our name; ^{and} touching this we have sent our letters patent into every county of the said realm (here follow the names of commissioners) to enquire into grievances of this kind by the oath of good and lawful men of the said counties, through whom the truth of the matter might be the better known: as concerning things taken in churches, as well as wool, wool-fells, hides, corn, beasts, flesh, fish and every other kind of thing, within churches and without, similarly taken and carried away in the said counties, as much from the clergy as from the laity, whether for the custody of the sea or for any other purpose whatever, since the beginning of the war between us and the king of France; and to hear and determine each and all these matters, as much by the authority committed to you by these presents as at the suit of anyone at all, being themselves/

(1) The text is given in Appendix I, p. cc1-

themselves willing to make complaint: and for the
rest, to act in the things mentioned according to
 the form of the ordinance made ^{thereon} thereto by us and
 our council - which we send to you signed with our
 seal - and ^{habet de iure fuerit facienda} according to right and consonant with
 the law and custom of our realm let it be done.

'And therefore we command you that at certain
 times and places, which you shall have appointed
 for this purpose, you will do the things mentioned
 in the aforesaid form, saving to us the amerce-
 ments and other things thence pertaining to us: for
 we have commanded our sheriffs of the aforesaid
 counties that at certain times and places, which
 you will make known to them, they shall cause to
 come before you so many and such good and lawful
 men of their bailiwicks by whom the truth of the
 matter in the things mentioned shall be the better
 known and enquired into; and similarly to dioces-
ans of places, that they shall assign clerks and
 religious of this sort as you or one of you shall
^{eis suis fuerit} have advised them, (to do) the things mentioned,
together with you.'

^{Accordingly}
And similarly letters close were sent to
 the bishops, ordering them to appoint clerks and
 religious/

*locum
 diocesanis*

religious in their several dioceses, in accordance with the terms of the ordinance and of the letters patent authorising the commissions. The Bishop of Lincoln was to appoint one clerk and one religious to assist the justices in the counties of Lincoln, Rutland and Northampton, and these were to be men 'whom he shall deem fit and circumspect to execute the premises.⁽¹⁾' The names of these two men have unfortunately not been mentioned in any of the records which I have examined; so that when we think of the justices travelling about Lincolnshire holding pleas, we must also imagine two anonymous clerics in constant consultation with them.

There is one important difference between the ordinance and the commissions. Whereas in the ordinance it is laid down that two commissioners with two co-opted assistants were to be appointed for each county, in the commissions as actually issued, ~~in~~ the counties are grouped into districts, and two commissioners and two assistants are set over each group. This reduces the personnel required for the enquiry and may also have impaired its thoroughness: had the original terms been strictly adhered to, it would have been/

(1) C.C.R. 1296-1302, p. 204.

been a very close one indeed. The civil servant in each group of commissioners would have a full knowledge of the law and would represent adequately the interests of the crown, but he would be less likely to have the necessary local knowledge; it was to remedy this deficiency that the local men were called upon.

The men ultimately responsible for the Lincolnshire enquiry were William Inge and Richard of Walsingham. Of Walsingham little need be said. He was less a lawyer than a landowner of knightly rank who, like others of his class, might be called upon to assist in the administration of justice. After the 1298 enquiry ended he was given occasional commissions⁽¹⁾ of oyer and terminer: he represented Norfolk in the parliaments of 1300, 1301, and 1305; he was summoned as a justice to Edward II's first parliament and acted⁽²⁾ in a judicial capacity from time to time thereafter. But he was not, however, originally nominated to the 1298/

(1) cf. C.P.R. 1292-1301, pp. 472-3, 476, 509, 545, 552; C.C.R. 1296-1302, p. 533.

(2) Foss, Judges of England, III, p. 311.

(1)
1298 commission.

Inge is a much more important person from the royal point of view; he was a professional lawyer of high standing. During the trial of the judges, 1289-93, he acted as king's attorney who "sequitur pro rege". He became a justice of assize in 1293 and remained such till the end of Edward I's reign, and it is/

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- (1) The lists of justices appointed to this commission, as given in the Patent and Close Rolls, do not altogether tally. For the Lincoln group of counties the Patent Roll (C.P.R. 1292-1301, p. 338) gives William Inge and John de Cokefeld. This is later supplemented (ibid., 354) on June 17, by the association of Walsingham with Inge in place of Cokefeld, in reference to whom this statement is made in parenthesis: "heretofore associated in the room of Thomas de Snyterton". The problem is solved by the Close Rolls (C.C.R. 1296-1302, p. 204) where under date 4 Apr. 1298 the king appoints John de Insula and Thomas Snyterton for the Lincoln group.
- (2) Tout and Johnstone, State Trials of Edward I. (Camden Soc. 3rd ser. vol IX, p. xxv). Foss, however, III, p. 268, places his appearance as King's attorney as far back as 1287.
- (3) Foss, III, p. 268; cf. C.C.R. 1288-96, p. 319-20. When, on June 7 1293, Edward and his council issued a commission to take all the assizes in every county in England, Inge was one of the justices appointed to a large group of Midland counties, extending from Lincoln to Gloucester.

is in this capacity that we find copious reference to
 him in the Patent and Close rolls. In 1301, moreover,
 his name appears in a list of members of the king's
 council; by 1316 he had become chief justice of the
 King's Bench, and he died in 1321 or 1322 seised of
 considerable lands, which were scattered over no fewer
 than ten counties! Inge, therefore, is seen to have
 been a tried, proved and very efficient civil servant
 of the crown, well qualified for the work given him in
 April 1298. It was to keep him busy for the rest of
 the year.

(1) E.g. trespass of land and theft of its appurtenances, cf. C.P.R. 1292-1301, p. 623 and many other refs.; forced distraint, cf. Ibid. p. 619; housebreaking and theft, cf. Ibid., 622; arson, cf. Ibid., 217, and the like; deflection of rivers and usurpation of liberties, cf. Ibid., 317; appeals for murder, cf. Ibid., 621. Frequent commissions of gaol delivery are given him, cf. Ibid., 555; he holds assizes of novel disseisin, cf. C.C.R. 1296-1302, p. 113, and mort d'ancestor, cf. Ibid., 160, and has to deal with forcible and illegal removal of criminals from sanctuary, cf. Ibid., 453-4. And he once had to assist in a perambulation to fix part of the boundary between Shropshire and Staffordshire, cf. Ibid., 117. In 1299 he is appointed with others to make the perambulation of the forest beyond Trent "According to the tenor of the Carta de Foresta," cf. C.P.R. 1292-1301, 441, 454; and in the same year he and another are to assist in investigating offences committed in three counties since the French war against the statute of 1298 relating to French money. And of his day-to-day business there is one illustration from A.R. 505 itself: on 24 March 1298, less than a fortnight before his appointment to the enquiry into grievances, he and Adam de Crokedayk were hearing a case of novel disseisin at Stamford (231)

(2) C.C.R. 1296-1301, p. 485. Baldwin, op.cit., p. 76 states that Inge was a sworn member of the council in 1306 but had been summoned to parliament, with others of the council, since 1295.

(3) Foss, III, p. 269.

(4) Ibid., p. 270.

ITINERARY OF THE JUSTICES.

Inge's and Walsingham's circuit covered the counties of Lincoln, Northampton, Rutland, Norfolk and Suffolk. The sketch of their itinerary which follows must be, in part, conjectural, because the material is incomplete: only the rolls for Lincolnshire and Norfolk survive in full. That for Suffolk is fragmentary,⁽¹⁾ and those for Rutland and Northampton have disappeared. Thus I have only been able to work out the Lincoln and Norfolk itineraries accurately, and can do no more than suggest how certain gaps therein may have been filled.

Presumably Inge began his circuit in April or May with Suffolk, the obvious starting point in relation to London. From Suffolk he would naturally pass to Norfolk,⁽²⁾ and we find him there from 18 June to 19 July, when he visited Suffolk for a week,⁽³⁾ or perhaps re-visited it. Returning to Norfolk, he spent roughly another week there before entering Lincolnshire on August 11. Here he remained, certainly till/

(1) One membrane only, numbered A.R. 842.

(2) P.R.O. Assize rolls 1/587-8.

(3) A.R. 842, m.1. He was in Suffolk from Monday, July 21 to Saturday, July 26, inclusive. This circumstance strengthens the likelihood that he began his circuit with Suffolk.

(1)
till the 19th, probably till September 1. After this
latter date there is a break in the enrolment of
pleas in Lincolnshire corresponding to one in the
hearing of them. It lasts till October 19 or 20, but
Inge was not idle all this time, as the Norfolk rolls
prove, since he re-visited that county on 30th Septem-
ber and heard pleas there until some day between the
15th and 19th October. (3) Where he was during the month
of September and what he was doing is not known, but
of his return to Lincolnshire on or about the 19th
October we are sure. He spent the rest of the month
at Grantham and Stamford, but then disappeared again
for about six weeks, returning to Stamford to hear
pleas/

(1) See pp. xxxiv, xxxix.

(2) See p. xxxv note 3.

(3) See Table I, p. xxxix.

(4) These six weeks would provide ample time for transacting business in Rutland and Northants, to both of which access is easy, either from Grantham or, especially, from Stamford. In the absence of proof, however, I can only suggest that Inge spent the November in these counties and used September, forming as it did part of the long vacation, to take a holiday, no doubt much needed. I assume he began the circuit with Suffolk, and this seems the commonsense course, in support of which, negatively, I can find no issue of special commissions to him during that September. The long vacation extended from 2 July to 9 Oct., and the Christmas one from 29 Nov. to 22 Jan. But comparison of dates shows that the enquiry was continued into both vacations.

pleas there from 11th to 15th December, at which date the enquiry terminates so far as Lincolnshire is concerned.

Inge's conduct of the enquiry in the Lincolnshire section of his circuit took, therefore, the form of a series of three short visits to the county, separated by two prolonged absences from it. The first of these visits lasted at most three weeks and was followed by a break of six weeks; the second visit covered only some thirteen days, followed by another absence of six weeks, while the third and perhaps busiest visit occupied a mere five days, at least so far as the records go.

Before examining these spasmodic visitations in somewhat greater detail, it must be stated that the dates given for the sessions in the headings to the membranes of A.R. 505 are misleading as to the length of the sessions held in any one place. A fully dated heading does not necessarily mean that all the cases enrolled under it were heard on that day, or that when the enrolments are continued on to the dorse and even to a fresh membrane without new headings, they still fall under the day originally specified. They may do so, but more often the full heading gives only the day on which the court began its sittings at a given place. Indeed/

Indeed, once this has been clearly set forth, the clerks' choice of dates for other membranes belonging to the same session seem to be quite arbitrary, save that they always lie within the extreme time limits
(1)
of that particular session.

For Lincolnshire, the enquiry opened on
(2)
Monday 11th August, at Boston, and Inge was at once faced with the annoying but common difficulty of 'non venit' - persons failing to appear in court when summoned to do so. The great bulk of the enrolments on the/

(1) The dorse of m.7, for example, affords proof of this. It is headed Adhuc de placitis and dated Friday 24 October; among the postponements on it are four (249-52), in each of which it is distinctly stated that certain juries, because they did not give their verdicts at Stamford on Sunday 26th October (die Dominica ante festum Apostolorum Simonis et Iude), are in mercy. Here, in a membrane dated 24 October, is a plain statement of something which did not take place till the 26th. Comparison of dated headings with dates of postponements in the text merely, in case after case, strengthens the proof.

(2) A.R. 505, m.1. Heading.

(1)
 the Boston membranes are of this nature. The sheriff was therefore ordered to have most of the delinquents before the court, at Boston, on August 13 and 14. (2) It is obvious, from these dates, that Inge, with an eye to the amount of work awaiting him, meant to continue there till the 14th, yet of the practical result of these days' work there is no trace, so^{far} as Boston is concerned. But this does not invalidate the postponement dates, because A.R. 505 is a final record, not a day-to-day one.

On Saturday 16 August the court opened at Louth, having travelled from Boston the previous day, a distance of about 30 miles. (3) Business was done there on that day (4) and also, apparently, on Sunday 17th/

(1) m.1, 1d, 4. And note 4, p. xxxiii.

(2) cf. m.1 (4-6, 8, 10-17), to Aug. 13; m.1 (1,18), m.1d, (21-3,27), to Aug. 14. It is probable that the cases entered on m.1d were taken at a later date than those entered on m.1; possibly on the 12th or 13th. And not every case on m.1 was necessarily taken on the 11th. The isolated Boston case on m.4, from its position, was very probably taken towards the end of the session there, though this is by no means certain. (cf. note 1, p. xxx)

(3) The most likely route from Boston appears to have been by Sibsey, Stickney, Partney, Ulceby Cross, Swaby and so to Louth. But however he went, Inge would have had to cross the fens before he could reach higher ground in the Wolds.

(4) m.4, 4d, 5.

(1)
17th, but the session appears to have been a lively one, for we are told in A.R. 505 (no. 133) that there occurred, before the justices themselves, what can only be described as an undignified brawl. It arose out of a quarrel between plaintiff and defendant: the plaintiff said that the defendant physically maltreated him, to which the defendant replied that he did, but it was because the plaintiff had first pulled his nose!

All postponements on the Louth membranes are made out for Lincoln, Monday 18th August : Inge had to roughly 25 miles across country, and if he proposed to open at Lincoln on the Monday morning, the court would almost certainly have had to rise at Louth at midday on the Sunday.

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- (1) cf.m.4 (138). The sheriff was ordered to distrain Richard of Brinkhill and have him at Louth on the Sunday next after the feast of the Assumption (Aug. 17). The sheriff did nothing in the matter.
- (2) cf. m.4 (132, 136, 138-41); m.4d (142). All non-venits on m.5. are put in mercy with no day given them.
- (3) But from about Bullington in to Lincoln he would have the advantage, for what it was worth, of a Roman road.
- (4) He might have left Louth early on Monday morning and opened at Lincoln in the afternoon, but this is unlikely. To transport himself, his servants, clerks, legal and personal luggage was a slow business even if packhorses were used, slower still with carts. At most they would not cover more than 4 or 5 miles in the hour; thus to cover the 25 miles by dusk they would have to leave Louth shortly after midday.

to infer that these incidental references to a session held on 1st September are references to preliminary hearings in which final decisions were postponed till the autumn. (1) The evidence throws no light on what was happening between 19 and 31 August, but it is clear that Inge and Walsingham must have been present at Stamford on 1 September, for they were dealing not only with individual complaints made by private persons, but also, and principally, with presentments of juries, and these could only be heard by royal justices, not by any delegated authority. (2)

Inge returned to Lincolnshire from Norfolk to hear pleas at Stamford, the record of which begins on Monday October 20, (3) on m.6, with a full heading, dated./

(1) The entries themselves reveal that in the last resort none of the jurors concerned, save those of Horncastle with Gartree, gave their verdicts at all; none, at least, are recorded on A.R. 505. Those of Elloe (253) did not come, are to be before the justices in proximo adventu, and nothing more is heard of them; those of Loveden (255) are re-summoned for 31 October at Grantham, and that is the end of them; all the rest are merely put in mercy for non-appearance. As to those of Horncastle with Gartree, there is a marginal entry, "vacated because they gave it," but what verdict they gave or when is not recorded in A.R. 505. It is said at Stamford under 13 Dec. of the jurors of Aswardhurn (197; cf. 442) that they did not come sicut eis iniunctum fuit apud Stamford; but the injunction is not to be found in A.R. 505.

(2) cf. Miss Cam, *The Hundred and the Hundred Rolls*, p. 114.

(3) But cf. m.11 (367), where the sheriff is ordered to have one William de Grune at Stamford on Sunday 19th. This suggests that Inge arrived from Lynn not later than the 18th.

dated. There was much work to be got through at Stamford. It involved more than calling cases, and then merely having to instruct the clerks to enter up another non-venit with a few relevant particulars attached and with or without a fresh summons. It meant a continuous session lasting eight, possibly nine, days, from Monday October 20th (perhaps, as we have seen, the 19th) until Monday 27th. Its records, even in the summary style of A.R. 505, cover seven
 (1) membranes. Inge and Walsingham must have permitted themselves a sigh of relief when, on the 27th, perhaps about midday, they could seriously consider the question of moving on to Grantham.

They may have gone to Grantham on that day
 (2) or the morning of the next. The proceedings of the session/

(1) m.6d, 7, 7d, 8, 8d, 9.

(2) A full day's work could hardly have been done on the 27th if Inge was to open at Grantham next morning, unless he left Stamford on the morning of the 28th. This he might have done, for though the distance is only about 21 miles and the road for a good part of the way the old Ermine Street, the days were growing short by the end of October, the road sufficiently undulating to retard progress a little, and he would want to make the journey in daylight if he could.

(1)

session there are recorded on four membranes: only two dates are mentioned in the headings, those of the 28th and 29th October, but there is little doubt that Inge remained at Grantham till the 31st. ⁽²⁾ Certainly there is quite enough business entered on these membranes to have kept him fully occupied for the last four days of October.

Here occurs the second break in the Lincolnshire enquiry - the six weeks which, as we saw, Inge possibly spent in Rutland and Northamptonshire. That period ended with his return to Stamford in time to begin his last session in Lincolnshire on Thursday December 11th. The amount of work to be done was considerable, and kept him and the court continuously busy from that day until Monday 15th, including the ⁽³⁾ Sunday. He may have gone on beyond the 15th, but if he did, there is no record of it. At any rate, the results of the five days we know he spent at Stamford at/

(1) m. 9d, 10, 10d, 11d.

(2) See ~~Appendix to this section~~. note 8, pp. xliii-iv.

(3) It is clear from the foregoing that a conscientious justice with a large volume of business to overtake paid little deference to Sunday beyond, no doubt, hearing Mass.

(1)
at that time cover six membranes of the roll. As
usual, the dated headings are misleading, save as to
(2)
place.

And so, on or about December 15th, 1298,
Inge and Walsingham completed for Lincolnshire the en-
quiry, if not the circuit to which Inge, at least,
(3)
had been appointed the previous April. His circuit
must have been one of the first to be completed; in
two, at least, of the other circuits there were serious
delays. On 30 April 1299 it is said of John de Ban-
quell, in charge of the counties of Kent, Surrey,
Sussex, Hampshire and Wiltshire, that he has been
several times delayed from attending to this enquiry
(4)
by other business of the king. There was also delay
in respect of Berkshire, Somerset, Dorset, Devon and
(5)
Cornwall. Clearly the enquiry could be held up if the
king/

(1) m.12, 12d, 13, 13d, 14, 14d. The remaining mem-
branes, 15 and 15d, contain list of jurors.

(2) See below, pp. xliv-v.

(3) Unless, indeed, they had to go back to Rutland and
Northants, but this we cannot know unless by
great good fortune the rolls for these counties
have not been destroyed and happen to be dis-
covered.

(4) cf. C.P.R. 1292-1301, p. 411.

(5) Ibid., p. 415.

king required any of the justices for another purpose. Inge himself had a special commission issued to him on 11 April 1298, seven days after his appointment to
(1)
this enquiry.

As the problems of the itinerary of the justices are in part also those of the construction of A.R. 505 itself, these must now be considered in some detail. I begin with a tabular representation of Inge's whole circuit, so far as it can be determined.

TABLE/

(1) cf. C.P.R. 1292-1301, p. 377.

TABLE I.

INGE'S AND WALSINGHAM'S CIRCUIT, 1298

<u>Date</u>	<u>County</u>	<u>Place</u>	<u>Membranes</u>
Before 18 June	? Suffolk	--	--
18 June	Norfolk	Norwich	--
25 June	"	Yarmouth	--
30 June	"	Norwich	--
7-10 July	"	Lynn (1)	--
11-19 July	" (2)	Thetford	--
21-26 July	Suffolk	--	--
2 August	Norfolk	Norwich	--
7 August (4)	"	Lynn(3)	--
11-14 August	Lincs.	Boston	1,1d,4
16-17 August	"	Louth	4,4d,5
18-19 August, (at least)	"	Lincoln	2,2d,3,3d, 4d(5)
1 September	"	Stamford	--
2-30 September	? On vaca- tion	--	--
30 September	Norfolk	Thetford	--
3-10 October	"	Norwich	--
15 October	"	Lynn(6)	--
20 (19)-27 Oct.	Lincs.	Stamford	6,6d,7,7d,8, 8d,9,11(7)
28-31 October	"	Grantham	9,10,10d, 11d(8)
1 Nov.-10 Dec. (about)	? Rutland and Northants.	--	--
11-15 December	Lincs.	Stamford	12,12d,13, 13d, 14, 14d(9).

NOTES:

(1) A.R. 587-8

(2) A.R. 842

(3) A.R. 587-8

(4) It has already been proved that the dates in the membrane headings are misleading, save to fix the commencement of a session. In estimating how long it lasted, internal evidence must be/

be sought from the text; and for this, dates of postponements are invaluable, as are the names of places to which summonses are postponed. E.G. mere consideration of heading dates for Boston would produce the erroneous supposition that the court sat there only on the 11th and 12th August. Comparison with the postponements at once shows that such cannot have been the case, for they are all except one to Boston for Wednesday and Thursday August 13 and 14. Why should Inge have made such orders if he had not intended to remain at Boston for these two days?

- (5) Comparison of the Lincoln headings on m.2, 2d and 4d proves that the Lincoln enrolments begin on m.4d, with the full heading Pleas at Lincoln, etc., the other two membranes being headed merely Adhuc. M.3 and 3d are given no heading or date, but are clearly the results of the Lincoln session. Both embody cases taken on 19 August, for on them it is recorded of three persons who failed to come on the 18th and were re-summoned for the 19th, that they again did not come (cf. m.4d (147) with m.3 (77); m.2 (33(with m.3 (95); and m.2 (47) with m.3d (96)).

(6) A.R. 587-8.

(7) The recorded Stamford entries begin on m.6, dated (with a full heading) Monday 20 October. Postponements are to Tuesday 21st (171-82) and Wednesday 22nd (170). The entries are continued aithout a break on to m.6d, which has no heading or date. The m.6d postponements are all to Friday 24th (206-7, 222-8), but the next membrane, 7, is headed Adhuc and dated the 22nd. Presumably, therefore, m.6 and 6d record business done on the 21st as well as on the 20th. Inge must have had a pretty clear idea by the 21st of how much work had to be overtaken on the 22nd; he had already ordered some postponements for that day, so that any non-appearances on the 21st would have to be re-summoned, as they are on m.6d, to a later date. On m.7 there are but two postponements, one to Monday 27th at Stamford (230), the other to 25 November, but no place is mentioned. (But Inge was absent from Lincs. on that day, cf. p.xxxvi above. Unless the clerks have made a complete blunder over the date, this would entail a journey for the parties concerned into Rutland or Northants. - though even if they had to go as far as Kettering, the distances from/

from Stamford would be no greater than, say, to Grantham). Most of the pleas given in full on m.7 are long ones, and the terse final records which are also included are deceptive, since they give the reader no hint as to the amount of argument and cross-examination which may well have gone to produce them; thus it is reasonable to infer that this membrane also records under one date business that needed more than one day to finish. M.7d and m.11 should be taken together. Both are headed Adhuc and both dated October 24. On m.7d three postponements are to Monday 27th at Stamford, showing that the court was still sitting there on that day (242, 246-7); one to the 28th at Grantham; two to the 31st at Grantham and two in proximo adventu. But all the m.11 postponements are to the 28th or the 30th at Grantham. Probably, therefore, these two membranes are concurrent records. M.8, 8d and 9 have neither heading nor date. From their position in the roll - not always a safe guide - and the absence of evidence to the contrary I can only assume that they record business done at Stamford on any or all of the four days October/

October 24 to 27; perhaps, indeed, the cases are spread over the whole eight or nine days of this session, since there may well have been loose ends, as it were, to be gathered together. If this is so, then these membranes are in their right place.

- (8) The enrolment of Grantham cases begins on m.9d and is continued on m.10, 10d, and 11d. M.9d has a full heading but is dated October 29, while m.10, headed Adhuc, bears the date 28th, when the Grantham session presumably began. M.10d is headed Adhuc and not dated at all. Collating with these particulars the postponements to Grantham recorded on m.7d and 11 (Stamford), we find that of the persons who failed to come to Stamford and were therefore required to be before the court while it sat at Grantham, none came in connexion with the same summons save one, a certain William Want-horn of ^hTeddlethorpe, against whom John, rector of Beelsby church, appeared in court. But the settlement of this complaint is given not on m.7d, but on m.11d, the dorse of a Stamford membrane but itself neither headed nor dated (376). The other two cases on m.11d concern bailiffs of Winnibriggs whose names appear/

appear several times on the Grantham membranes; and Grantham itself is in this wapentake. It is thus almost certain that m.11d belongs to the Grantham session and not, as appears at first sight, to the Stamford one. The dates of the postponements from Stamford to Grantham, ranging from 28th to 31st October, indicate that Inge meant to remain in Grantham for the rest of the month. The postponements on m.10 and 10d - there are none on m.9d - support this conclusion: they are all ad proximum adventum.

- (9) The Stamford membranes for December are similar in form to the rest of the roll. M.12 is given a full heading (Pleas at Stamford, etc.) and dated Thursday 11th December. On it are two postponements, both to the 13th (380-1). The dorse of this membrane, 12d, is headed Adhunc etc. and dated Friday 12th, but there are no postponements on it. M.13, however, also headed Adhuc, is dated Thursday 11th again; it has four postponements to Saturday 13th (412-15) and two to Monday 15th (416-7). M.13d has no date or heading; there are two postponements, both ad proximum adventum (432-3), suggesting that the cases entered on it came towards the end of the session. M.14, headed/

headed Adhuc, is dated Saturday 13th and also has two postponements, both in proximo adventu (450, 452). It records that Geoffrey of Bourne, capital constable of Kesteven, came to the court next day, Sunday 14th: but one would have expected to have found this information on m. 14d, which is dated the 14th, had the heading dates been accurate.

The results of this detailed examination may perhaps be shown most graphically in tabular form:

TABLE II/

TABLE II

CONSTRUCTION OF A.R. 505.

Chronological Order			Type of Heading.	Case Numbers	
m.1	Boston	11-14 Aug.	Full(1)	1 -	19a
m.1d	"	"	Adhuc(1)	20 -	32
m.4	"	"	"	127	
m.4	Louth	16-17 Aug.	Full	128 -	141
m.5	"	"	Adhuc	153 -	169
m.4d	"	"	None	142 -	146
m.4d	Lincoln	18-19 Aug.	Full	147 -	152
m.2	"	"	Adhuc	33 -	55
m.2d	"	"	"	56 -	64
m.3	"	"	None	65 -	95
m.3d	"	"	"	96 -	126
m.6	Stamford	20-27 Oct.	Full	170 -	198a
m.6d	"	"	None	199 -	228
m.7	"	"	Adhuc	229 -	239
m.7d	"	"	"	240 -	255
m.8	"	"	None	256 -	278
m.8d	"	"	"	279 -	293
m.9	"	"	"	294 -	313
m.11	"	"	Adhuc	366 -	375
m.9d	Grantham	28-31 Oct.	Full	314 -	331
m.10	"	"	Adhuc	332 -	351
m.10d	"	"	"	352 -	365
m.11d	"	"	None	376 -	379
m.12	Stamford	11-15 Dec.	Full	380 -	393
m.12d	"	"	Adhuc	394 -	411
m.13	"	"	"	412 -	420
m.13d	"	"	None	421 -	437
m.14	"	"	Adhuc	438 -	455
m.14d	"	"	"	456 -	458(2)

The arbitrary use of heading dates; the summary nature of many of the entries themselves (cf. especially those beginning 'Conuictum est per iuratum in quam A se posuit quod . . .'); the hint of a session being held on 1 September but not separately/

(1) By full is meant a heading beginning 'pleas at..', e.g.m.1, Placita apud Sanctum Botulphum. A secondary heading begins with the word Adhuc, e.g.m.1d, Adhuc de placitis apud Sanctum Botolpnum etc.

(2) The remaining two membranes contain lists of jurors only; the numbering is as follows: m.15, nos.459 - 482; m.15d, nos. 483 - 498a.

separately recorded (194-8, 253-5), are all evidence that A.R. 505 is a final, not a day-to-day record. But the question as to when it was put together admits of no easy or wholly satisfactory answer, for want of clear evidence. The issue, however, seems to be reducible to two possibilities, one, that it was not constructed until after the whole enquiry was over; the other, that it was built up out of day-to-day material as the enquiry progressed - perhaps in some such way as this, that after a session was finished at one place and had opened at another, some of the scribes would be engaged in sifting the information collected at the first place and entering up what was of importance, while the rest would be recording in detail the current business of the court. This, if conjectural, might at least account for the kind of inconsistency just mentioned, and might also account for the muddle of membranes 2 to 5. Mere carelessness in putting the membranes together for binding is not sufficient cause for this, or for the position of the odd Stamford membrane 11, backed by a Grantham one, 11d (see Table II). In this case, collation with the Stamford and Grantham headings (for October) reveals at once that the Stamford entries end on what is now called/

called m.11, but that the clerk began the Grantham ones on a fresh membrane altogether and only afterwards went back to the dorse of m.11 to enter three odd Grantham cases (nos. 376-8) for which it probably did not seem worth while to begin a new membrane. Then, when the roll came to be sewn together this Stamford membrane, with Grantham cases on the back, was confused with the Stamford membranes for December and put with them.

Something of the same kind must have occurred over the Boston, Louth and Lincoln membranes, over which there was a thorough muddle. Not only were they bound up in the wrong order, but there was considerable confusion in their construction also. An odd Boston case remained over after m. 1 and 1d had been filled. The scribe quite properly takes a new membrane (called now m.4) and begins it with this case (no. 127). Then the Louth cases have to be enrolled. Again quite properly he continues on the same membrane, after the Boston case, with a full heading and the first of the Louth cases (nos. 128-141), and so fills up the membrane. But at this point, for some reason unknown, instead of continuing the Louth cases on the dorse of this membrane, he takes a fresh one altogether (m.5), heads it Adhuc de placitis apud Luth, and fills it accordingly (nos. 153-169).

There/

There are still a few Louth cases over. To enter them, he now goes back to the still blank dorse of m.4 and uses it for these (nos. 142-146) - the same scribe, I think, is at work, for I can detect no appreciable differences in the handwriting - and finally, when the Lincoln cases have to be recorded, they are begun on what is left of the dorse of m.4 (nos. 147-52). Presumably the mistake was then discovered, for the Lincoln cases are continued on a new membrane, now m.2 (nos. 33-58), with the result that the dorse of m.5 was left entirely blank, and so remains. And when the roll came to be sewn together confusion was made worse by putting these membranes in entirely the wrong order; as Table II plainly reveals. All this goes to suggest that A.R. 505 was not compiled at one time (since if it was, such constructional errors would be very much less likely to occur), but that the membranes were sewn together after the enquiry was finished. At this time, too, the copy of the royal ordinance and the Lincolnshire application of it must have been inserted on the dorse on m.11 (m.11d, no. 379), since the ordinance itself is dated 16 December - the enquiry ended in Lincolnshire, so far as we know, on the 15th - and at the earliest could not have reached Stamford till the 18th. Thus when all the evidence is considered the first of the two possibilities suggested above becomes considerably more remote than the second.

THE WAR AS IT CAME HOME TO LINCOLNSHIRE.

This all-important question calls for a consideration not only of the burdens which were laid upon Lincolnshire during the war - burdens which Lincolnshire shared with the greater part of the country - but also of the administration of those burdens by the various shire officials and of the grievances presented by the people of Lincolnshire in 1298, either against the burdens themselves or against the administration of them. And because the official enquiry is made retrospective in both the royal ordinance and the commissions to justices - 'since the beginning of the war with the king of France' - the burdens imposed during and after June 1294 must first be analysed. This is best done in tabular form; I begin with the papal tenths laid upon the clergy in 1291 for three years, so as to indicate that the clergy were liable to papal as well as to royal demands.

A capital 'R' placed before the date of a burden in Table III indicates that this burden was imposed by royal order.

TABLE III.ANALYSIS OF BURDENS IMPOSED ON LINCOLNSHIRE, 1294-8.

Date ¹	Nature of burden.	Classes affected.	Demands made on Lincs.
(1291 (1292 (1293	Papal tax " "	Clergy) ") ")	(One tenth of the income of the clergy assessed on the valuation of 1291, for 3 years, for the Holy Land. The valuation was made on estimated incomes (2))
R 1294, 12 June	Seizure of Wool	Merchants Clergy Laity	All wool, woolfells and hides to be seized by the sheriff and held in safe custody at the king's pleasure till further orders are received. (3)
R 1294 14 June 26 June	Military summons	Baronage Knightage Clergy	For Gascony, Greater tenants-in-chief summoned individually, abbots, priors and knights holding by military tenure or serjeanty by sheriff. To be at Portsmouth <u>cum equis et armis on 1 Sept.</u> (4)

1. Normally the date of the ordinance, but in the case of a tax on movables, the date for which Parliament was summoned.
2. Lunt, Val. Norwich, p.613.
3. K.R.M.R. no. 68, m.72. De lanis per totam Anglie... arestandis.
4. Parl. Writs I. p.259.



Date.	Nature of burden.	Classes affected.	Demands made on Lincs.
R 1294 18 June	Inquisition of valuables	Clergy	Inquisition by view of the sheriff and a specially appointed royal clerk into valuables stored in all religious houses(1).
R 1294 26 July	Increased customs rates.	Merchants directly other classes indirectly	Wool may be exported from Boston only on payment of new rates: 5 marks per sack of good wool (afterwards 3 marks). 3 marks per sack of inferior wool and 5 marks per last of hides (2). The old rates were $\frac{1}{2}$ mark per sack and 1 mark per last (3).
R			
R 1294 21 Sept.	Tax on movables	Clergy	The king demanded half the revenues of the clergy for one year, both temporalities & spiritualities. This was granted (4).
R 1294 15 Oct.	Military Summons	Baronage	For Wales. Only a partial levy; it affected Philip of Kyme and Gilbert of Gaunt in Lincs., but out of this expedition arose several complaints in A.R.505. (5)

1. B. Cott. p.237; Bémont, R.G. p. cxxli; cf. Lunt, Papal Revenues, I, p. 76, where he discusses the deposit of the proceeds of papal taxes in religious houses against future requirements.
2. K.R.M.R. No.68. m.82
3. Parl. Writs I.p.1.
4. Foed. I. p.808; cf. C.P.R. p.89;
5. Parl. Writs I.pp.265-6.

Date.	Nature of burden.	Classes affected.	Demands made on Lincs.
R 1294 16 Oct.	Restriction on movement of goods	Various	Nothing to be taken out of Lincs. and into Scotland by land or sea which could be useful to the Scots, such as corn and other food, armour and arms. Probably not a serious burden (1).
R 1294 12 Nov.	Tax on movables	All except some clergy	The king obtained 1/10 of the movables of the baronage and their tenants and 1/6 of those of the burgesses. Those clergy who had not paid the half were to give 1/10 of their temporalities (2).
R 1295 10 Feb.	Inquisition into knight:hood.	Baronage Higher clergy.	The sheriff to make inquisition, within and without liberties, as to all, knights or otherwise, who have £40 worth of lands and rents per annum. Those who have are to be ready with arms and horses to go on royal service and live at the king's wages at the king's pleasure, whenever he wants them. The sheriff is to find who, having less than £40 worth of lands, has horses and arms and is willing to take similar service (3).

1. C.C.R. 1288-96, p.435.
2. Parl. Writs I.p.27.
3. Parl. Writs I, p. 267.

Date.	Nature of burden.	Classes affected.	Demands made on Lincs.
R 1295 28 Sept.	Seizure of property of alien clergy	Clergy	All property of alien clergy in coastwise shires, including Lincs. seized, the clergy to be lodged in denizen houses. Release obtained by those who compounded with the king for their good behaviour (1).
R 1295 10 Nov.	Seizure of lands and property of aliens	Lay aliens	Applied only to aliens of French origin or allegiance. Restitution of lands and property could be had if they gave security for good behaviour. (2).
R 1295 27 Nov.	Tax on movables.	Clergy; all laity.	The king obtained 1/11 of the movables of the baronage and their tenants and 1/7 of those of the burgesses. Clergy contumacious but eventually agreed to give 1/10 of their temporalities for one year, longer if necessary. (3).
R 1295 16 Dec.	Military summons.	Baronage	For Scotland, John Baliol, by virtue of his alliance with France, having revolted from Edward's rule. Those summoned, including a number of Lincs. knights, were to be at Newcastle on Tyne on 1 Mar.1296. (4)

1. Foed. I. p.826.
2. K.R.M.R. No.69,m.71d, cf. B.Cott.
3. Foed. I.p.833.
4. Parl. Writs I.pp.275-7; cf. C.C.R. 1288-96, p.501.

Date.	Nature of burden.	Classes affected.	Demands made on Lincs.
1295 24 Dec.	Procurations (papal)	Clergy.	A levy, with papal authority, on all the higher clergy, to meet the expenses of the Cardinals Albano and Palestrina, papal nuncios, while in England. Each prelate and convent was to pay 6 marks (1).
R 1296 12 May	Prise of corn	All except townsmen.	Lincs. not mentioned in the writs, but the prise was semi-national, and was levied from the surrounding counties. (2).
R 1296 3 Nov.	Tax on movables	Baronage and under tenants, Burgesses.	The king obtained 1/12 of the movables of the baronage and their tenants and 1/8 of those of the burgesses. Clergy contumacious and postponed decision (3).
R 1296 29 Nov.	Prise of corn	All except townsmen	Lincs. to supply 500 quarters of barley 1000 qrs. of oats, 1500 qrs. of wheat, and 500 qrs. of beans and peas, to be collected within a month of Easter 1297 (4). On 25 May 1297 the sheriff was ordered to send all corn collected by him to London (5). This must refer to the Nov. prise. But some went to Flanders. (6).

1. Lunt, Papal Revenues, I.pp.108, 282.
2. K.R.M.R. No.69 M.77d.
3. Parl. Writs I, pp.47,51, cf. B. Cott. p.312.
4. K.R.M.R. No.70, m.113, 114; L.T.R.M.R.mo.68, m.20.
5. K.R.M.R. no. 70, m.114d.
6. P.R.O. Sheriff' Admin. Accts. 568/1.

Date.	Nature of burden.	Classes affected.	Demands made on Lincs.
R 1297 12 Feb.	Clergy outlawed.		They could be received into royal protection again on payment of a subsidy. The majority submitted by Easter. The subsidy demanded was $1/3$ or $1/5$ of their temporalities. (1)
R 1297 1 Mar.	Arrest of clergy		Those who had pronounced excommunication or ecclesiastical censures against the king's ministers to be imprisoned. (2)
R 1297 12 Mar.	Collection of royal debts	All	One justice appointed for a group of counties, and one clerk for each county, to collect all royal debts outstanding. (3)
R 1297 5 May) 15 May)	Military summons	Baronage Knightage Lesser gentry Higher clergy	For Flanders. All those having £40 worth of lands and rents per annum to provide themselves with horses and arms in the usual way, for service. Nobody to escape (knightage; 5 May). Similarly for the lesser gentry, greater barons & higher clergy (15 May). They are to be at London on 7 July. (The lesser gentry are those having £20 worth of lands and rents per annum (4)

1. C.C.R. 1296-1302, p.14; C.P.R. 1292-1301.
2. Parl. Writs I, pp.393-4.
3. K.R.M.R. no. 70, m. 101, 102.
4. Parl. Writs I. pp.281-3.

Date.	Nature of burden.	Classes affected.	Demands made on Lincs.
R 1297 5 June	Prise of bacon and beef	All except townsmen	Lincs. to supply 300 sides of bacon and 200 carcasses of beef (1). By a writ dated 23 June these, together with corn (not specified in the ordinance) are to be shipped to Harwich to await further orders. (2).
R 1297 7 July	Tax on movables	Baronage and tenants; Burgesses	After the military levy had met in London on 7 July Edward, between that date and the end of the month, promised to confirm the charters if the baronage would give $1/8$ & the burgesses $1/5$ of their movables. This was agreed to. (3).
R 1297 30 July	Prise of wool.	Clergy Laity Merchants connected with wool trade.	All who have any wool must sell it to merchants appointed by the king to buy it, payment being promised but not ^{then} made, & confirmation of charters hinted at. Four merchants appointed for Lincs. This prise was made to fulfil part of the price of Edward's foreign alliances. (4).

1. K.R.M.R. No.70, m.114d.
2. Ibid., m.100d.
3. Parl. Writs I, pp.53-5; cf. Stubbs ii, p.136.
4. Parl. Writs I, pp.394-5; C.P.R.1292-1301, p.299. K.R.M.R. no.70, m.108; cf. Foed. I.

Date.	Nature of burden.	Classes affected	Demands made on Lincs.	6
R 1297 30 Sept.	Tax on movables	Laity	For the 1/8 and 1/5 July is substituted a flat rate of 1/9 of movables for both the baronage and their tenants and the burgesses. The writs ordering the collection of this tax are dated 14 Oct. (1)	
R 1297 21 Oct. 10 Dec.	Military Summons.	Baronage Knightage Higher clergy Lower Ranks (10 Dec) for infantry ²	For Scotland; summoned in the usual form. Those from Lincs. are summoned who are not already in Flanders. The Lincs. clergy affected are the abbots of Thorney, Croyland & Bardney. (3) A further series of summons was issued on 8 Jan. 1298, but hardly affected Lincs. (4).	
R 1297 5 Nov.	Prise of corn	All except townsmen	Lincs. to supply 3000 qrs. of Oats and 3000 qrs. of wheat for Scotland. (5).	

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1. Parl. Writs I.p.63; L.T.R.M.R. no.69,m.38, cf.K.R.M.R. no.71,m.121d.
 2. K.R.M.R.No.71, m.29,29a,30.
 3. Parl.Writs I.pp.302-4.
 4. Ibid., p.308.
 - 5.C.P.R.1292-1301,p.314.

Date.	Nature of burden	Classes affected.	Demands made on Lines.
1297 20 Nov.	Subsidy	All clergy	Voluntary tax of 1/10, the goods of the higher clergy to be taxed on the 1291 valuation, those of the lower on that of Norwich(1). The tax was granted against the Scots for one year (the Northern province gave 1/5).The Bp. of Lincoln's commission to the Hospital of S. Katherine's-extra-Lincoln, the collectors for the diocese, is dated 3 Dec.(2).
R 1298 30 Mar.	Military summons	Usual ranks	For Scotland, Summons issued in the usual form. Those summoned to be at York on 25 May.A certain number of Lines. knights affected. (3). Further orders were issued on 28 May to all sheriffs, to make known that all who had been summoned but had not yet gone to Scotland were to be at Roxburgh on 23 June (4).
<hr/> 1. B.Cott. p.339, cf.Stubbs,ii,p.141. 2. Lunt, Papal Revenues,I,p.282,quoting Cart.of S. Kaths.-extra-Line., in Camb.Univ.Lib., MS Dd X.28,Fol.1. 3. Parl. Writs I.pp.310-12. 4. C.P.R.1292-1301,p.344.			

Date	Nature of burden.	Classes affected	Demands made on Lincs.
R. 1298 15 Apr.	Prise of corn	All except townsmen	For the army of Scotland, and was required after the enquiry into grievances was set up. Lincs. to supply 1000 qrs. of wheat and 1050 qrs. of oats (1).

1. C.P.R. 1292-1301, p.344.

THE SMALLER BURDENS.

For a consideration of the double question of the burdens and the administration of them, errors in which called forth grievances, A.R.505 must be itself both text and arbiter. In regard to this, it must first be shown that not all the burdens imposed on Lincolnshire gave rise to subsequent complaints recorded in the Roll.

The military summons of June 1294, for Gascony, of October 1294, for Wales, of December 1295, for Scotland, of May 1297, for Flanders, of October 1297 and March 1298, for Scotland, and the inquisition into knighthood of February 1295¹, gave rise to no complaints in A.R.505 in respect of those classes of the community owing military service as of fee. Two of these burdens, however, do issue in complaints against levies made for foot-soldiers - pedites² - who, though not liable for service as of fee, might be levied in person for service, and who seem to have belonged to the ranks of the smaller tenants; or from whom financial assistance might be required to pay the wages of other pedites raised elsewhere.

The most important case of this sort is that conveniently termed 'foot-soldiers for Wales', which gave rise to a small body of complaint in A.R.505. There are in all six such complaints.³ In one case (269)

1. See details in Table III for all these summons.

2. The pedites seem to have been the lowest order of infantry; cf. Morris, J.E., *The Welsh Wars of Edward I*, p.88.

3. Nos. 269, 339, 428, 434, 437, 435.

Richard of Brinkhill, the sub-sheriff, 'unjustly levied' 4/- from the vill of Ingoldmells to spare the men of the vill from going in the king's service to Wales. Probably the position was put to the men in the form of an ultimatum: give me this sum or you go to Wales. If so, the action was high-handed, and in any case, the proper person to raise men for service would not be the sub-sheriff, but a commissioner for array.¹ The sub-sheriff, however, was an important personage; the men of Ingoldmells whom he could threaten were almost certainly illiterate, and probably of humble status, a conclusion strengthened if not proved by the circumstance that when the time came they made their complaint by presentment of their local jury, not in person.² If they allowed themselves to be pressed into military service in Wales for an indefinite period how could their modest holdings be properly cultivated? Something of the sort may well have passed through their minds; but apart from this, the fact that they preferred a money-payment, even under threats, to service in Wales, does not suggest a large measure of popularity among the small tenants for practical warfare. And the further fact that having chosen the lesser of two evils, they then made a complaint, suggests an under-current of feeling that they should not be liable for service at all. This should be left to their superiors who had leisure for it; the men of Ingoldmells had enough to do in scraping a living out of the land for

1. cf. Morris, *op.cit.*, p.92.

their families and themselves.

The note of unpopularity¹ runs through the other complaints; the jurors of Aswardhurn present that a sub-bailiff of that wapentake unjustly and by distraint levied 10/- from the vill of Kirby and Laythorpe (339), not, in this case, to spare the men of the vill from service, but to equip two men who were actually going to Wales. They further complain that the sub-bailiff retained the money to his own use; but it is the first complaint which is important here.

The attitude taken up by the vill seems to be this; why should we be liable to equip these men? That, since they are going on the king's service, is the king's business.

The case of the bailiff of Winnibriggs (428) is rather different. The real complaint here seems to be that having made a large levy, 50/-, from the vill of Grantham - there is no question of men going thence on service - the bailiff retained 6/8 of it to his own use. The other three cases, 434-5, 437, are of the same nature as this one. Of this type, in addition, is one other case (271), which again concerns the sub-sheriff, who unjustly took 5/- from the vill of Skegness for 'foot-soldiers for the war.' The war is probably the Welsh one of 1294-5, since in the expeditionary force there was included a small Lincolnshire corps of foot.²

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1. cf. Morris, op.cit., p.240, where he says that foot were not easy to raise in England because the peasants were not warlike.
 2. Morris op. cit., p.263, cf.p.93.

The final case concerns a sub-collector of taxes of evil notoriety, one Alan ad Ecclesiam¹ who unjustly levied 6d from a certain William Scales to give him a permit not to go on service to Scotland. This was probably in connexion with the summons for the Autumn of 1297, or perhaps the spring of 1298. And unless Alan was specially commissioned to collect funds for infantry, for which I have found no evidence at all, his action in respect of William Scales would appear to have been a piece of effrontery of which, judging from Alan's taxing record, he was quite capable.

These complaints, therefore, seem to be made on two main grounds: first, the feeling that the men of the vills should not themselves be liable for military service or for the cost of equipment or wages of infantry;² and second, a strong and justifiable sense of grievance in regard to the sharp practice of royal officials, who, with or without warrant, were making money for themselves out of the public necessities of the day - this is a type of complaint of which much more will be heard.

And as to these complaints against service or the cost of it, there is Morris' evidence of a Lincolnshire corps serving in Wales, as referred to above, and evidence of efforts to raise foot for the

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1. See list of taxors, appendix II. He was a sub-tax-or in Candleshoe.
 2. They were paying indirectly for this when they paid their quota in response to the king's requirements of taxes on movables.

expedition against Scotland in 1297.¹ The A.R. 505 cases to do with military service are the echo of these attempts; they prove official malpractice, and they suggest unpopularity of service among the small tenants and discontent with cash levies made to defray the cost of such service. The suggestion of unpopularity is strengthened by Morris' evidence of the difficulty experienced in obtaining the numbers required, and, incidentally, of the poorness of the peasant foot so raised.²

No complaint is to be found in A.R. 505 against the seizure of wool, wool fells and hides ordered on 12 June 1294,³ against the subsequent increase in customs rates payable on wool for export, imposed on 26 July 1294⁴, or against the sale of goods belonging to French merchants, ordered on 28 August, 1294⁵.

These measures are closely connected. As to the first, the sheriff was to call to his service two lawful and discreet knights of his bailiwick; he was to go in person to the cities, boroughs and market towns and to every other place in his bailiwick and by the view and testimony of the two knights to have all wool, woolfells and hides arrested which he could find, in whose hands soever they were and to whomsoever they

1. K.R.M.R. no.71, m.29,29d,30, writs de peditibus eligendis.

2. Morris, op. cit., pp.295-6.

3. K.R.M.R. no.68, m.82, De lanis per totam Anglie et bonis mercatorum extraneorum arestandis.

4. K.R.M.R. no.68, m.82, see also Table III, pp.11-1x for these burdens.

5. Ibid, m.85 d.

might belong, and to have them put into safe custody so that they should not be removed until he should be otherwise ordered. This was to be done within liberties and without, in religious houses and elsewhere. He was then, by his letters, sealed by himself and by the two knights, to acquaint the king with particulars as to what arrests he had made, how much had been arrested and where it now was.

The effect of this, while inconvenient to those concerned, was necessarily only temporary; it would be detrimental to the royal interests to stifle the staple trade in wool altogether, but it was none the less vital to institute means to prevent this commodity from being sent to France by those owing allegiance to the French king. Hence this first measure was quickly followed by a revision of customs duties and customs regulations. That merchants may be the less incommoded Edward grants that all, whether alien or denizen, except those under the power of the king of France, may export their wool, woolfells and hides, provided they pay him for two or three years, if the war should last so long, a duty of 5 marks (66/8) per sack of good wool or 3 marks (40/-) per sack of inferior and 5 marks per last of hides.¹

1. K.R.M.R. no.68, m.82 "dando nobis...de quolibet sacco melioris lane fracte quinque marcas, et de quolibet sacco alterius lane tres marcas, et de quolibet lasto coriorum quinque marcas..."

The arrested wool, except that belonging to French merchants, is to be released. The sheriff is to have proclaimed publicly in full county court and in every city, borough and market town that all except French merchants may now buy and sell wool as they used to be for the arrestment. But all wool for export must pay the new customs duty, and must not pass through any but approved ports, among them Boston -- the only approved port in Lincolnshire -- and must be taken there before 8th September 1294.¹ This is the "maltolte" on wool later complained against by the rebellious earls and made a major grievance at the time of the confirmation of charters. And it is very heavy, though later the rate for wool was unified at 3 marks, that for hides remaining at 5 marks.² Even so, 40/- per sack and 66/8 per last is sufficiently startling when compared with the old rate, dating from 1275, of half a mark (6/8) per sack of wool and one mark (13/4) per last

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1. Special officials were appointed at the approved ports to collect the new customs: "...assignamus... A et B ad recipiendum et colligendum apud C per visum et testimonium dilecti clerici D, custumam predictam. ita quod...A et B per testimonium...D nobis inde respondeant ad scaccarium nostrum..."The sheriffs and all bailiffs were ordered to assist the customs officers and to attend to their instructions in all relevant matters. For Boston, the collectors or receivers appointed were John Idelson and Thomas Peyt, with William de la Bruere as check clerk. This writ is dated 29 July (K.R.M.R.no.68, m.82).
 2. 5 Nov. 1294 (K.R.M.R. no.68. m.82d). The revised rate came into force as from 15 Nov., and applied only to wool destined for Holland or Zealand.

of hides.¹

It might well appear remarkable that this very heavy increase in customs duties produced no complaints at all in A.R.505, until we reflect that those most affected by them, in particular the merchants, and, indirectly, the religious houses, did not on the whole use the 1298 enquiry as a vehicle for airing grievances; and where they did so, the grievances were of a different nature from thses. Even a cursory glance through the roll confirms this statement. The small tenants, whose complaints were freely made 1298, were not concerned with customs duties.

It will be noticed that the new regulations for the customs and the export of wool excepted what was in the possession of merchants and others who were French subjects; this could not be exported. It came to the king's knowledge that since the new regulations began to be enforced, considerable quantities of goods and merchandise belonging to French merchants, including wool, had been concealed; accordingly the order of 28th August, 1294, appoints two clerks² to

1. cf. Gras, *Early Eng. Cust. Syst.* pp. 59-60, 66, where he discusses the 1275 custom without, however, mentioning the rates charged, and pp. 223-56 where he gives many examples from documents but leaves the reader to deduce the rates from the totals. It is from this information that I have calculated the 1275 rates, cf. p. 227, Jon Pleban de Corby for wool, and p. 236, Roberd le Seler for hides. The rates can be checked from other examples.

2. For Lincolnshire, the clerks appointed were William de Wodeford and Henry de Baieus, (K.R.M.R. no. 68, m. 85d).

enquire, with the sheriff's assistance and by the oaths of lawful men in the county, within liberties and without, what goods have been concealed, to what merchants they belonged or do now belong; and to take them into the king's hand and to sell them. What is to be sold consists both of the goods of French merchants already in the king's hands - under the terms, that is to say, of the order of 12 June - and of what shall now be found.¹ The proceeds are to be kept in safe custody until further orders are received. This order is reflected in two cases in A.R. 505 (Nos.308-9), which are themselves not complaints but the presentments of juries, to the effect that under the terms of the order sales had been effected, but that the Sheriff was required to show whether or not he had paid to the Exchequer the sum, ten marks, that he had received from the buyers of the goods. The goods in question were a sack of wool and two hundred wool fells.

The inquisition into the valuables of clergy, ordered on 18 June 1294, finds no place in A.R. 505, nor the restriction on movement of goods to Scotland imposed on 16 October of the same year. Neither does the inquisition into Knighthood of 10

1. K.R.M.R. no.68, m 85d.'...tam illa que prius per preceptum nostrum capta fuerunt in manum nostram quam capiend' per visum ipsorum mercatorum et hominum vel valettorum suorum...'

February 1295 or the seizure of the lands and property of lay aliens, ordered on 10 November of that year. There is, however, one case arising out of the seizure of property of alien clergy ordered at the end of September, 1295, but it is not a complaint, merely a statement of issues from this property in Lincolnshire which were paid in to the Exchequer by the clerk appointed for this duty (No.238). There is, further, a single curious case to do with the papal procurations of 25 December 1295¹ and subsequent dates (No.400); this is discussed in a note to the text.

The outlawry of the clergy in February 1297², and their re-admission to the royal protection on payment of a subsidy to the king, form the subject of a small body of complaint in A.R.505, and the grounds of complaint are of some importance. There are only seven of these cases in the roll:³ the first three concern one individual, Simon of Worth, a canon of Lincoln Cathedral.⁴ He complains first (No.62) that in July 1297 the capital bailiff of the West Riding took one of his oxen from his common pasture at Massingham for the king's larder, and that two bailiffs did this against the royal protection which Simon enjoyed.

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1. These bords are all outlined in Table III, pp. li-lx.
 2. See Table III, p. lvi.
 3. Nos. 62-4, 401, 404, 440, 458.
 4. Reg. Sutton, Mem., ff.12, 15, 170.

The real point in Simon's complaint, however, is not so much that the bailiff acted against the royal protection in general but that he infringed one clause of it in particular. The protections which the clergy were given when they paid the subsidy demanded and redeemed themselves from outlawry contained the clause nolumus;¹ and the clause nolumus specifically stated that no bailiff or other minister of the king should take any corn, horses, carts, victuals or any other goods from the recipient of the protection against his will.² The bailiff of the West Riding defied this clause on two separate occasions (62,63) and this is what Simon is complaining against. On a third occasion the bailiff unjustly took 14 pence from him, not to seize his corn to the king's use, and here the jurors uphold Simon by adding that the bailiff had no precept to take any of his corn, issued by those appointed to supervise the prise (no.64). Simon's complaints raise one other point of interest. In the first of them (no.62) the jurors say that while the bailiff told the truth when he pleaded ignorance of the protection, it was none the less published 'in patria' in the district. If the jurors' statement is to be accepted, and there seems no valid reason for

1. cf.C.P.R. 1292-1301, p.260 (m.15d); p 270 (m.12d)etc.

2. Bémont, *Rôles Gascons*, III, Introd.p.xvii, note 1, gives an example of the clause nolumus.

not doing so, it is an indication that the lists of such protections entered in the Patent Rolls¹ are, if extensive, not complete, for Simon's name does not appear in them.

The other four cases are a little less clear. In three of them it is found by the jurors that a bailiff unjustly took goods from a clerk in orders and money from the vicars of Dorrington and West Byham² not to take their lay fees into the king's hand. The evidence is scanty, but what seems to have happened was this: probably the clergy in question gave recognisances to the sheriff that they wished the royal protection and were prepared to pay for it in accordance with the terms of a mandate issued by the king on 1 March 1297³, some three weeks after the sentence of outlawry; but notwithstanding, the bailiff threatened to take their fees into the king's hand unless they compounded with the bailiff himself there and then. Protection being bought but letters of protection not yet received, the bailiff saw his opportunity and took it. Therein lay the injustice of his action and the reasonableness of the complaint. The last case (No.440) is of the same kind as the three just described, but it confirms explanation given by

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1. C.P.R. 1292-1301, pp.235-7, 260-86.
 2. Nos.401, 404, 458, respectively.
 3. C.P.R. 1292-1301, p.239.

adding the words 'without warrant'.

In regard to all these cases, however, and especially in regard to the four in which the clergy did not have the royal protection, it is to be emphasised that the complaint is not against the action of the central authority in first outlawing the entire clergy and then forcing them to buy their return to the king's peace and protection at a heavy price - though there can be little doubt that such actions were deeply and bitterly resented - but against the relatively petty tyranny of local royal officials, themselves of no great standing, who took advantage of a difficult and distasteful situation to make a few shillings for themselves.

Another group of complaints in A.R.505 have to do with the collection of debts due to the king and still outstanding. Under an ordinance of 12 March 1297¹ justices and royal clerks were appointed in the counties to supervise the collection of such debts, whether these were arrears of taxes on movables, debts due by summons of the exchequer, estreats, or any other kind of debt:² a measure not surprising in the third consecutive year of war. The justice appointed for this work in the group of counties which included

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1. See Table III, p. lvi. The ordinance is in K.R.M.R. no. 70, m. 102.
 2. Ibid, m. 102. "...E, illoques veient les noums de tous ceaux qui dettes devient au rey, auxilieu per summonses de Eschequer Estretes e briers cum des eides avaunt ditz (parliamentary taxes) e tute manere des autres dettes..."

auxilieu

Lincolnshire was Lambert of Threckingham¹. The appointment of clerks to assist the justice - there was to be one clerk for each county - is a little obscure: the first record I have is the appointment of Richard of Hetherington for Lincolnshire as late as 14 June 1297, three months after the issue of the ordinance;² on 4 July Richard was either superseded or assisted by Roger of Norton.³ According to the terms of the 12 March, all the debts were to be paid in to the Exchequer by the end of Easter week,⁴ but the appointment, first of Richard of Hetherington, two months after Easter, and then of Roger of Norton some three weeks later, suggest that the naming of a final date in the writ was but a pious hope.⁵

Proof of this is found in A.R.505. The debts were still being collected in Lincolnshire in October, seven months after the issue of the ordinance and five after the final date for payment at the Exchequer: in 1298 Walter son of Robert of Frampton complained that on 1 October of the previous year he had been imprisoned and insulted by a royal bailiff who, acting on Roger of Norton's instructions, demanded

(K.R.M.R., no. 70)

1. Ibid., m.102.
2. Ibid., m.101, De debitis regis levandis.
3. Ibid., m.101d, cf. m.96.
4. '...le lendemayn de la close Pasque...' Easter fell on 14 April in 1297.
5. It will be shown when discussing taxes on movables, that delays in collection were frequent and protracted.

from him 36/- which he owed the king (no.19). The alleged imprisonment was for nine days; the insult lay in Walter's being tied to the tails of two horses. For these indignities he claims 100 marks, £66.13.4, in damages. The bailiff said merely that he had a warrant to collect 36/-, that against payment of the debt he distrained Walter by six draught animals which he impounded; that Walter, against the king's peace, broke into the pound and extracted the beasts and that for this reason only was he imprisoned.

The prior's statement reveals that neither party was quite truthful. The bailiff did insult Walter in the manner stated and did imprison him, but only for one day. This, however, was malicious, since it was done to force Walter to make a fine of 2/- as the price of his freedom. The jurors awarded £5 damages to Walter - a more reasonable sum than 100 marks - and Nigel was formally committed to gaol, but instead made fine in 40/-, a satisfactory outcome for the crown, which found itself that much the better off without the inconvenience of finding room for the bailiff in the local gaol.¹ There is no further mention of the debt, but since Walter won his case it may be inferred that the debt was paid.

1. The words "ad scaccarium" in the margin indicate the destination of the fine. Making fine in lieu of going to prison was a very common practice in the thirteenth century, and one much encouraged by justices. cf. Pollock and Maitland, Hist. of Eng. Law, II, p.515.

Again it must be emphasised that while this complaint arose in consequence of the action of the central authority, it is not made against that action. It is concerned solely with the behaviour of a local royal official who is deputed to collect the debt: it is concerned with assault, with imprisonment and with what amounted to extortion of 2/-. It is the king's bailiff who is cited, not the king.

The case just discussed is the only one in A.R.505 which can clearly be traced to the ordinance of 12 March 1297, but there are several other cases involving the collection of royal debts which cannot with certainty be so traced. The most that can be said of them is that the actions resulted in complaints may have taken place during 1297, since the bailiffs or sub-bailiffs concerned held office, or in some cases probably held office, during that year.¹ The importance of these cases lies not so much in their possible illustration of a specific burden as in their evidence as to what was being complained against. Those to do with summons of the green wax are dealt with in the text of A.R.505;² of the rest, three show bailiffs taking advantage of their official status by levying money on the ground of a summons of the exchequer, refusing to give values in receipt, and

1. Eg. Nos. 145, 310, 320-1, 407, 422, 450.

2. Below, No. 145, p. 72.

then, for want of the tally, making a fresh distraint for the same debt; the proceeds in all cases going into their own purses (nos. 320, 321, 407). In these cases the existence of an actual debt due to the king may probably be assumed, but in a fourth case (no. 422), it is shown that no debt existed at all, but a levy was made by a bailiff on his own authority and without any warrant, though he purported to have made the levy 'by an estreat of a summons of the Exchequer'. These are good illustrations of the power of the bailiff over against the weakness of the ordinary man. The bailiff could probably read and write, the ordinary man, unless a clerk in orders, almost certainly could not. Moreover the bailiff could normally shelter behind the royal authority, and these advantages together weighed the scales of power heavily in favour of the official. The whole record of A.R. 505 is evidence of this; so also is the much more extensive record of the Hundred Rolls¹, and when the discrepancy in advantage is realised, the apparent helplessness of the ordinary man no longer causes surprise. But in all these cases it is the conduct of royal officials which is complained against, and that alone.

We are left now with a group of complaints against jury-services and another group of miscellaneous complaints, but of neither group can it be said that its contents arose directly out of the imposition

1. Miss Camr, in The Hundred and the Hundred Rolls demonstrates this point graphically, again & again.

of war-time burdens,¹ and we are also left with the two most important and numerically largest series of complaints in A.R.505 - complaints arising out of taxes on movables and out of the imposition of prises ad apus regis, both of them in incidence, though not in origin, characteristic of the four war years, and both of them affecting Lincolnshire closely.

1. These two groups are discussed below. pp.

TAXES ON MOVABLES.

A.R. 505 contains about 46 complaints in respect of taxes on movables; four such taxes were imposed during the years 1294-7: a tenth in 1294, an eleventh in 1295, a twelfth in 1296 and a ninth in (1) 1297. The movables which were to be valued for taxation purposes in theory included all the movable goods a man possessed, but in practice the only movable possessions which were actually assessed were cattle, sheep, oxen, draught-beasts, grain of various kinds, forage-crops and similar articles. A man's personal possessions which he kept in his cottage, and (2) the food in his store cupboards, were not taxed.

For an appreciation of war-time Lincolnshire it is necessary to see what happened in the county after a tax on movables had been asked for by the king in council and granted. The procedure adopted was specific if alaborate, but here it need only be outlined, since the field has already been covered in very considerable/

(1) See Table III pp. li-x. I have ignored the higher rates paid by the towns, since no complaints against the levy of these are included in A.R. 505.

(2) Subsidy Rolls (Lay) 135/6 and others; cf. Willard, Parliamentary Taxes on Personal Property, 1290-1334, p. 3.

(1)
 considerable detail. I take as my example the Forma
Taxationis (2) for the levy of a fifteenth in 1290, the
 last tax on movables to be imposed before the out-
 break of the French war in 1294. What happened in
 Lincolnshire in 1290 took place with increasing and
 portentous frequency after 1294: chief assessors ap-
 pointed by the central authority are to have brought
 before them from every wapentake the most knowledge-
 able men (prodes hommes) of the wapentake, from whom
 they are to select the twelve most meritorious
 (vaillaunz). These are to assess and tax the goods
 possessed by everyone between the beginning of August
 and Michaelmas, (3) whether in the field or stored (en
mesouns). When the twelve are sworn, they are to
 take to their aid the reeve and four lawful men from
 each vill of their wapentake, who shall best know and
 appraise/

(1) cf. Willard, op.cit., esp. chapters III to VIII.

(2) The method was altered for the ninth of 1297; the twelve men of the wapentake were dispensed with, and four men, or six, or two from each vill in a wapentake or hundred were made responsible for the whole wapentake or hundred; cf. Willard, op. cit., pp. 55-6; L.T.R.M.R. no. 69, m.38

(3) The wording is ambiguous; what is meant is that the goods possessed by anyone within the two months covered by these dates are the goods which are to be assessed and taxed.

appraise (sachent) the property of the whole vill.

The twelve are then to have the reeve and the four men sworn before them to help them lawfully to assess and tax the fifteenth of such property for the use of the (1) king. Now the twelve are to go from vill to vill and from house to house in each vill, assisted in every vill by the reeve and four men thereof, to view the movable property of everyone and to assess and tax it. They are to enquire whether any of the property which the owners had between the beginning of August and Michaelmas has been sold or otherwise removed, and this is also to be taxed according to its full value, like the rest. The chief taxors and their clerk, having received the oath of the twelve, are also to go from wapentake to wapentake and from vill to vill to see that the routine has been properly carried out. If they find that information has been concealed or that anything has been under-taxed, "either by gift or by favour", they are to see that the deficiency is made good and are to acquaint the Treasurer and Barons of the Exchequer with the names of those who have thus broken their oath. The taxation of the four men and the/

(1) The value of the property was assessed on a cash basis, which represented the amount in cash which the taxee had to pay.

the reeve of each vill is to be made by the twelve, and that of the twelve by the chief taxors and by other lawful men whom the chief taxors are to choose, provided the chosen men have no affinity with the twelve. The chief taxors are to be assessed by the Treasurer and Barons of the Exchequer. The taxation is to be levied "as well on the movables of prelates, clerks and men of religion and on their men as on the goods of others, provided such property belongs to lay fees." But armour, mounts, jewels, clothing of knights, gentry and their wives are to be exempt from taxation. This exemption, however, is not to apply in ⁽¹⁾ Boroughs, cities and other towns, to the goods of merchants.

An inquisition of this kind took place in every wapentake in Lincolnshire in every one of the war years 1294 to 1297. The chief taxors, usually two ⁽²⁾ in number, are local gentry, not magnates; the sub-⁽³⁾ taxors/

(1) K.R.M.R. no. 64, m. 5., from which I have made the above translation. Cf. Willard, op. cit., ch. IV.

(2) Cf. *ibid.*, pp. 41-4.

(3) In A.R. 505 no distinction is made between 'taxor' and 'collector': the terms are synonymous, for he who assessed (taxed) a man for a tax also collected the money value of the assessment.

taxors are small local men to whom the royal ordinance imposing a tax gives the legal right to view and assess the possessions of their feudal superiors, clerical or lay. This point is brought out without comment by (1) Willard, but startling though it appears, it should not be construed as a first faint glimmering of a democratic principle. It was, in fact, merely a matter of expediency. When the central government had no close knowledge of the minutiae of local conditions, it was forced to rely on local people who possessed such knowledge, and to make use of them for purposes of state when occasion demanded. The magnates' possessions were mostly scattered over several shires, and in time of war or other stress - just the very time when a tax on movables would be imposed - their services were required in directions other than levying taxes, quite apart from potent considerations of social dignity. Much the same may be said of the lesser gentry, though, having fewer and smaller landed possessions, and moving about the country less, they would be likely to have a closer local knowledge than the magnates. But supervision of a levy for national purposes was an important and honourable occupation, as befitted/

(1) Willard, op. cit., p. 54.

befitted their social rank, and to this work they are appointed. Thus the government was driven back upon the small tenant for the actual collection of its taxes, and with him to the old unit of local government, the hundred or, as in Lincolnshire, the wapentake. He lived and moved within this area, though he might travel about the county and into neighbouring ones; and he was the man with the local knowledge. Moreover, then as now, he and his fellows formed the most numerous section of the population, and to him the central government turned.

The force of this statement will be realised when the taxing staff required by a county the size of Lincolnshire is considered. There are preserved at the Public Record Office a number of Subsidy Rolls which record the assessments made in Lincolnshire in accordance with the formae taxationis of the war years 1294-7. These lists are unfortunately very far from complete, but from them I have been able to compile very fragmentary lists of subtaxors who assessed and collected the war-time taxes. These lists appear in Appendix II, pp. and contain, together with information supplied by A.R. 505 itself, some 440 names of sub-taxors. But these sub-taxors are spread over four separate taxes, and some of the names are repeated.

It/

It will be shown that even while these lists represent a mere fraction of the total number of sub-taxors who must have been employed in the collection of each tax, they nevertheless illustrate the working of the system in the localities - they are themselves the machinery, in action, of the formae taxationis. And they also provide a basis for at least a partial calculation of what, in mere numbers of temporary royal officials, the collection of a tax on movables meant. There were thirty-two wapentakes in Lincolnshire, of which only six were normally administered in pairs, though not necessarily so for (1) taxation; and there were in 1316 some 680 odd vills. (2) If we collate these figures with the requirements of the formae taxationis for the tenth, eleventh and twelfth of 1294, -5 and -6, we find that for each of these taxes there were needed, in round figures, 380 wapentake sub-taxors (the twelve men of each wapentake) and 3,400 vill sub-collectors (the reeve and four men of each vill): that is to say a total subordinate staff of roughly 3,780 sub-taxors - who were also/

(1) Boothby and Graffoe; Flaxwell and Langoe; Winnibriggs and Threo. Both Winnibriggs and Langoe seem to have been separate units for the levy of the ninth in 1297: Subs. Roll (Lay) 135/3, m.6 (Langoe) and m.9 (Winnibriggs)

(2) F.A. iii, pp. 177-92.

also sub-collectors - in Lincolnshire alone. For the ninth of 1297, when the wapentake collectors were dispensed with, and when many villis with their surrounding rural districts required only two sub-taxors instead of the reeve and four, the numbers would be ~~reduced~~ by about half.

In view of these truly formidable numbers, the question may well be asked, from what strata of society was this horde of officials drawn? It has already been shown that they were small tenants: necessarily, if the numbers were to be obtained at all; and the further point at once arises as to whether they were all even freemen. The formae taxationis of 1290, 1294, 1295 and 1296 do not state⁽¹⁾ explicitly that the sub-taxors must be freemen. The twelve men of the wapentaks shall be prudes hommes and the most vailaunz; and the four men of the vill shall be hommes loyales, legales homines. If there were no evidence beyond the wording of the formae themselves, the only safe conclusion to draw from these negotiations would be that the central authority tacitly assumed that in the localities none but freemen would be chosen as sub-taxors. But there is other evidence, not all of it negative, to suggest/

(1) Nor, indeed, that of 1297.

suggest that the central authority had a very good reason for not limiting their choice to freemen. First, a high degree of formalism and precision in the use of terms characterises the ordinances and writs of the period. Tacit assumption in place of formal definition would thus be unexpected and unusual in a document so important as a forma taxationis.

Then, in Lincolnshire at least, it was not unknown for a sub-taxor to be a pauper, in the sense of a person whose own taxable property did not reach the minimum fixed for a tax on movables.⁽¹⁾ This, while true of the vill-collectors, was not, I think, true of the twelve men of the wapentake, for it is said of Adam Hoymond, one of the twelve wapentake collectors of the eleventh in Winnibriggs, that he did not have goods to the value of 11/-, 'ideo non⁽²⁾taxator'. As applied to the twelve, this statement is reasonable, since not only were their numbers low in relation to the vill-collectors, but they seem to have filled an intermediate position between the chief taxors and the men of the vills. But it should be added here that poverty, in the sense of falling below the downward taxable limit, did not necessarily involve/

(1) e.g. Adam ad Ecclesiam of Ingoldmells, a collector of the tenth (nos. 273-4, 277), the twelfth (272, 280, 282) and perhaps of the ninth (276), who was himself wrongly taxed for the twelfth, because non-taxable (270); cf. also six sub-taxors of the ninth, App. II, list of taxors, pp. of each of whom it is said 'nichil habet in bonis'

(2) App. II, list of taxors, p.

involve un-freedom, though of course a non-taxable person might well be also unfree.

(1) There is, however, clear evidence in one case of a villein acting as a sub-taxor. But the issue is not quite simple: we are not told, nor have I been able to discover, whether this taxor was a villein in status or whether he merely held his land by villein tenure.

But finally, there is the evidence of enormous numbers required to gather in one tax, and this factor may well have been decisive. If we eliminate the entire baronage and knightage, the whole of the unfree class, the aged, the infirm, women and the very young, the ranks of the sub-taxors would depend for adequate numbers upon only the free male population below the rank of knight and physically able to get about the districts. It thus becomes questionable whether there were enough eligible persons left in this class: if not, it is clear why the severely limiting qualification liberi homines is omitted from the formae taxationis, why non taxable persons are found among the ranks of the sub-taxors, and why one, at least, of the sub-taxors whose name has come down to/

(1) John Parys of South Witham (323), also a sub-taxor of the ninth there, see App. II, list of taxors, p.

to us in A.R. 505, was a villein.

With machinery so comprehensive the net of taxation should have been drawn close: in theory a tax was intended to reach everyone in the kingdom except the poor and those who had special exemption; in practice numerous exemptions were granted to members of all ranks in society for specific reasons. ⁽¹⁾ Thus while no one could deem himself immune from enquiry by the sub-taxors, he could prevent actual view of his property being made by producing royal letters of exemption, if he had them. And, moreover, assessments of individuals for taxes are not a wholly reliable guide to the real wealth of the taxee, because the assessments tended to become conventionalised, and do not always represent the total of a man's taxable movables. The poor were provided for in each of the war-time taxes by a clause in the forma taxationis fixing a downward limit, and those whose assessed property fell below it were automatically exempted from paying the tax, in theory if not always actually. This limit, for the rural population, was fixed at 10/- for the ~~tenth~~⁽²⁾ of 1294; at 11/- for the eleventh of 1295; at 12/- for the twelfth of 1296, and at 9/- for the ninth of 1297. It represents an attempt to protect/

(1) cf. Willard, op. cit., chapters V and VI.

(2) K.R.M.R. no. 68, m. 72; no. 69, m. 65; no. 70, m. 87; L.T.R.M.R. no. 69, m. 38 respectively: cf. the tenth/

protect the poor from a burden which they could not afford to carry, but in practice it pressed rather hardly upon a class of border-line cases more numerous than they need have been. From their point of view it paid to be poorer, during war-time, rather than
(1)
richer although the conventionalised assessments mentioned would tend on the whole to increase the margin of safety.

But the machinery, if comprehensive in scope, proved cumbersome and tardy in action. The tale of delays in collection of the taxes, as revealed in the Memoranda Rolls, is one of increasing exasperation and urgency on the part of the central authority. Writ after writ is sent down to sheriffs and chief taxors, couched in terms of cumulative threat, demanding speedier collection of arrears. Each of the writs appointing taxors, which accompanied the formae taxationis, contains specific dates by which all the proceeds/

tenth of 1294: "E les biens de nuly ne seent taxez sil ne amuntent a dissoiz e plus" - 10/- and over. (cf. also Willard, op. cit., pp. 87f., especially 9. 88, where in discussing this subsidy of 1294 he says in a footnote (1) that the form of taxation contains no mention of a taxable minimum. His authority for this statement is the very membrane and the very form I have just quoted; the words I have given are on it and they do very clearly fix a taxable limit for this subsidy)

(1) cf. Willard, op. cit., p. 88.

proceeds of a tax were to be paid in, usually in two instalments. For example, the taxors of the tenth were appointed on 12 Nov. 1294, and were to pay in the first half of the tax by 2 Feb. 1295, the second⁽¹⁾ by 22 May of that year. On 2 Jan. 1295 the king found it expedient to warn the collectors that they must make their payments on the specified dates, otherwise, "knowing that if you shall have caused delay, we shall incur the gravest hurt, and you will not be able to evade our indignation."⁽²⁾ Yet there were still arrears outstanding in September, for on the 3rd the collectors were ordered to pay them in on the 30th on pain of imprisonment and seizure of all their lands and goods.⁽³⁾ Even by February 1296 all these arrears had not been paid: on the 28th the king found it necessary to appoint William of Carlton as overseer for Lincolnshire, to collect them.⁽⁴⁾ But by that time, the next tax, the eleventh, was also being collected.⁽⁵⁾ Even as late as 5 Feb. 1298, three and a half years/

(1) K.R.M.R., no. 68, m.72

(2) K^R.M.R. no. 68, m.74.

(3) Ibid., m. 75d

(4) Ibid., no. 69, m.75

(5) Ibid., m. 65, 65d.

years after the tenth was imposed, collectors of it, together with those of the two following taxes, were being distrained and their persons brought before the barons of the Exchequer to answer for arrears⁽¹⁾! This argues both a breakdown in the machinery and a situation in which it would be possible for a taxee to be confronted on the same occasion by collectors demanding payment of two separate taxes: but there is unfortunately no evidence from A.R. 505 in support of either contention. Indeed no mention is made at all in the roll of delays in collection of taxes; nor, as might reasonably have been expected, is there even one single complaint against the imposition of a tax, either on the ground of rates demanded or of frequency in demand. When it is considered that during the 65 years 1225-1290 only seven taxes on movables were taken, at rates varying from 1/15, the highest, to 1/40, the lowest⁽²⁾, but that during the 3 years 1294-7 four were taken, the lowest rate being 1/12, the total absence from A.R. 505 of complaints against imposition and rates demanded is somewhat remarkable.

In regard to taxes on movables, however, the complaints in A.R. 505 were not against the fruits/

(1) K.R.M.R. no. 71, m. 104d. (2) cf. Stubbs, II, pp. 37-122.

fruits of the high policy of a remote central authority. They were against the irregularities of method and conduct of local officials who were close⁽¹⁾ at hand, and especially against the local sub-taxors. Nine of the ten cases in which Alan ad Ecclesiam of Ingoldmells was implicated, if taken together, present a fairly comprehensive view of the kinds of action complained against in Lincolnshire. He is accused of unjustly retaining 11/ from Walter Surmylk's wages⁽¹⁾ while Walter was in the royal service; he considered that his position as a sub-taxor gave him the right to extract 6d from a certain William Scales in return for a licence exempting William from going to Scotland - a licence which a mere sub-taxor would hardly⁽²⁾ have the authority to give; Alan and another sub-taxor maliciously taxed Robert East, a pauper for the twelfth while sparing the possessions of Robert Scales, who⁽³⁾ should have been assessed at 2/-; he unjustly retained in his own possession 7/9 levied for the tenth from⁽⁴⁾ taxable persons; he levied money from non-taxables;⁽⁵⁾ he/

(1) No. 268. This case is one of the mysteries of A.R. 505. I have been unable to discover who Walter Surmylk was or in what kind of royal service he was engaged.

(2) No. 271. Alan may also have been a constable in his vill, but there is no evidence of this.

(3) No. 272. (4) No. 273. (5) e.g. No. 274.

he and a fellow sub-taxor unjustly 'received' 2/- from four other sub-taxors before he was willing to receive their assessment rolls; he and some others, collecting the tenth in 1294-5, extorted 20/- from the vill of Ingoldmells for their expenses; he did the same thing in the same vill when levying the twelfth two years later; and he again levied varying sums from non-taxables, by extortion, under cover of the twelfth.

It is true that Alan was perhaps the worst of the sub-taxors complained against in A.R. 505, but the others were guilty of much the same practices, especially in regard to taxation of non-taxables, taking more from persons than their assessments required - and no doubt pocketing the difference - and levying money pro expensis, for expenses. The first and last of these practices require some further comment. The injustice of taxing persons whose assessed movable property fell below the minimum level of taxation is manifest, but it would be inaccurate/

(1) No. 276

(2) No. 277

(3) No. 280

(4) No. 282.

inaccurate to conclude that these paupers^e were in all cases indigent in the modern sense of the term pauper.
 (1)
 The case of Robert East, cited above, will illustrate the point. The scribe who enrolled the case used the word 'pauper' without necessarily implying indigence. Robert East almost certainly was not indigent, else no collector would have been at the pains to extract from him what could not have existed. What can be said about him is that he was not rich enough, in the class of possessions which were assessed for taxation to bring him within the scope of the twelfth; and it may be added that these possessions probably did not include household goods necessary for the maintenance
 (2)
 of life.

There is, moreover, a possibility that in some cases taxation of non-taxables could be used as a means of paying off old scores. It is to be remembered that the appointment of sub-taxors was temporary, lasting only so long as a tax remained uncollected in the sub-taxor's own neighbourhood, and that an appointment, say, to collect the tenth of 1294 carried with it no guarantee of re-appointment to collect/

(1) No. 272.

(2) cf. Willard, op. cit., p. 75, where the contrast between the theory and practice of rural taxation is clearly set forth.

collect a subsequent tax. A.R. 505 contains evidence, it is true, of several such re-appointments, but they do not conform to any regular scheme. ⁽¹⁾ And it is to be noted also that the vill-collectors at least, if not those of the wapentake, were men who knew everybody in the vill, were themselves equally well known, and were to levy the taxes in their own vill. If this system provided opportunities for collusion in assessment and collection, which it would be to the interest of the beneficiaries to conceal and which would therefore not appear in A.R. 505 unless an official informed, it provided opportunities also for oppression on grounds which might as easily be personal as merely selfish. The terse final statements of A.R. 505 give no hint of what may have lain behind them: we are given merely abundant evidence of a desire on the part of certain sub-collectors to line their own purses. But whatever may lie behind the taxation of non-taxables, it is the commonest complaint made in A.R. 505 against sub-taxors, and it is probably closely connected with the/

(1) e.g. Nicholas Herre was a sub-collector of the 10th in 1294 and of the 9th in 1297, but not of the two taxes intervening. Alan ad Ecclesiam, on the other hand, collected the 10th, the 12th of 1296 and probably the 9th, but not the 11th of 1295 (see App. II, list of taxors, pp.)

the other main type of such complaint: unjust - in the
 sense of unauthorised - levy of money for expenses.⁽¹⁾

Neither chief taxors nor sub-taxors did their work merely for love of it: they did not serve voluntarily but were selected, and once selected, would have no choice in the matter;⁽²⁾ nor would they be able to collect the taxes at no cost to themselves: moreover, their status as sub-taxor in no way exempted them from payment of the same taxes themselves. None of the collectors were paid salaries, but the chief taxors were granted allowances by the Exchequer for their outlay.⁽³⁾ This was well within the ability of the Exchequer, since there were only two chief taxors to a county, but to do the same thing for a vast army of sub-taxors would have been quite impracticable. The sub-taxors were therefore thrown back upon other means of/

(1) e.g. No. 277 and other entries.

(2) cf. Willard, op.cit., p. 46. Willard is here speaking of the chief taxors, but what applied to them in all probability applied also to the sub-taxors.

(3) Ibid., pp. 197-204.

of reimbursement, two of which seem to have been considered legitimate. It was allowable for the sub-taxor to require the taxee to supply him with food and drink, and it appears to have been common practice for the chief taxors, who were responsible for the assessment of their subordinates, to do this at nominal rates. ⁽¹⁾ Presumably these concessions were considered adequate recompence for the work of assessing and collecting taxes. If so, it becomes apparent why levies of money pro expensis were considered grievances - e.g. no. 277. No doubt the men of Ingoldmells and other villis regarded the imposition of a tax on movables with disfavour for its own sake, as paying out good money for no tangible return; nor is it likely that they welcomed having to feed the sub-taxors as well; but when these officials held the men of the vill to ransom for expenses, there would be deep resentment. The men of Ingoldmells suffered in this way from the collectors of the twelfth as well as from those of the tenth (280), while the unfortunate inhabitants of Burgh-in-the-Marsh were mulcted by the collectors of three of the four war-time taxes/

(1) cf. Willard, op. cit, pp. 205-10. Willard however is here speaking of the years 1330-4, so that the above application of his evidence to 1294-8 must be accepted with caution.

taxes. In all cases the men of the villis won their cases, but the punishments awarded to the collectors merely consisted in restoring the money taken and being put in mercy, unless in individual cases, such as that of Alan ad Ecclesiam, the sum of malpractice required a sentence of imprisonment, to avoid which a fine would be made. In justice to the sub-collectors, however, it must be said that while the levy of money for expenses was considered wrong and punished where exposed, as also the levy of sums above what the king required and particularly the taxation of non-taxables, the temptation nevertheless must have been very great.

The complaints in A.R. 505 against the taxes on movables - there are over 40 of them - are emphatically not directed against the incidence of the taxes themselves. There is no complaint that the taxes are being levied too frequently, or that the assessments are too high. No doubt there was much grumbling on both these grounds; no doubt the enormous number of sub-taxors were regarded as an incubus, though they were the taxees' own kith and kin. If so, there is no word of it in A.R. 505. Every single complaint is directed against the advantage taken by sub-taxors of their official position; they are not even directed against bailiffs; this need occasion/

occasion no surprise, for the collection of taxes was for the most part outside the bailiffs' province, though for the eleventh the sheriffs and bailiffs were directed to assist the taxors in accordance with (1) expediency. Occasionally a bailiff made a distraint in respect of arrears of a tax, e.g. no. 229, but the circumstances were different: the debt in question had become classed among the ordinary debts due to the king.

What is particularly to be noticed in regard to the complaints in A.R. 505 against taxes is that they are all made by the small men, who do not come in person to where the court is sitting, but have their cases remedied through juries of presentment; (2) that, having regard to the total number of sub-taxors at work during the war years, the body of subsequent complaint recorded in A.R. 505 is relatively very small; and all, or almost all, the complaints come from a single wapentake - Candleshoe. Why this should be, I have not been able to discover, but it is highly improbable that none of the collectors in the other wapentakes were guilty of similar misdemeanours to those of the Candleshoe collectors/

(1) C(R.P) 1292-1301. p. 172

(2) The cases beginning 'it is found by the jury,' being final records, do not reveal how the complaints contained in them originated, but this does not necessarily destroy the argument.

collectors. Yet A.R. 505 does not reveal them being brought to book. It is true that a certain number of the Threo sub-collectors are summoned⁽¹⁾, but they do not come, nor is there any further record of them in A.R. 505. Nevertheless, it has been shown what the collection of a tax on movables involved in Lincolnshire and how some of the sub-taxors conducted themselves. The absence of plaintiffs of ranks higher than villagers is significant: the sub-collectors could probably only be high-handed with their peers.

(1) No. 415, and App. II, List of Taxors, pp.

PRISES AD OPUS REGIS

There are more complaints in A.R. 505 in respect of prises ad opus regis - the taking of beasts, corn etc. for the king's use - than in respect of any other specific grievance.⁽¹⁾ The subject is a large and important one, requiring consideration from three aspects: as prises affected the people of Lincolnshire, as they affected the local administration in the county, and finally as they affected not only the central administration, but the constitution itself.

Reference to Table III, pp. li-lx indicates that the central authority authorised six great prises during or just after the French war, in five of which Lincolnshire was involved. On 29 November 1296 the county was ordered to provide 500 quarters of barley, 1000 of oats, 1500 of wheat and 500 of beans and peas. Next year, on 15 June, it had to supply 300 sides of bacon and 200 carcasses of beef; on 30 July all wool that could be sold was to be bought by the king's agents; on 5 November the county had to furnish 3000 quarters of oats and 3000 of wheat and on 15 April 1298, 1000 quarters of wheat and 1050⁽²⁾ of oats were to be secured for the army in Scotland.

The/

(1) Rather more than 50, against about 45 in respect of taxes on movables.

(2) The references for all these prises will be found in the footnotes to Table III.

The ordinance issued for the collection of the prise of corn of November 1296 states that it is to be taken from the goods of clerks as of laymen, according to the ability of each to provide, and saving their reasonable sustenance.⁽¹⁾ This meant that in theory everyone who possessed any agricultural land, that is to say the bulk of the population, was liable to have his crops or his beasts assessed for a prise and would in consequence have to part with a proportion of them unless he had a special protection from the central authority. Protections, however, might be numerous, as in the case of the clergy who purchased remittance of outlawry in the spring of 1297: every person who could show the royal protection with clause nolumus⁽²⁾ possessed the right to withhold his crops and beasts from the king's takers, unless his patriotism over-rode his sense of property. Sometimes, but not always or necessarily, the protection covered not only its recipient, but also his men and all his possessions; for example, when the Abbot and convent of Westminster paid the value of half their goods demanded by the king in the autumn of 1294, protection was given them covering not only the Abbot, but also the convent, their men, lands and all possessions/

(1) K.R.M.R. No. 70, m.113: '...ausi bien des biens as clerks come des lais, solum cheşcun poeir sauve leur resonable sustenance...'

(2) See above p.lxxi

possessions, and the sheriff was ordered to see that no corn and other goods belonging to any of them were taken for the king's use without their consent and licence; and the same applied to the Dean and Chapter of Lincoln. (1) The same protection was extended to those who had been on the king's service in Gascony. (2)

The effect, therefore, of protection with clause nolumus for as long as they remained valid, and especially if they were numerous was to reduce appreciably the potential supplies of foodstuffs which could be drawn upon by the central authority, but this did not necessarily involve any lessening of the demands which might be made upon any area. It merely placed a proportionately heavier burden upon those who did not enjoy the royal protection.

But in addition to the great prises authorised by ordinance and writs entrolled in the Memoranda Rolls, other prises were taken, the authority for which I have not found in these records, though their existence is revealed by A.R. 505: a prise of linen cloth, and one or more prises of sheep. (3)

With/

(1) K.R.M.R. No. 68, M. 68d.

(2) C.C.R. 1296-1302, pp. 7-8 (Dec. 28, 1296 and Jan. 17, 1297).

(3) These may have formed part of the ancient prises of the crown, which are discussed below, but I am inclined to think that the prise of linen cloth, at least, was a special prise, though I have not been able to find the authority for it.

With the above general outline in mind, the effect of prises ad opus regis upon the people of Lincolnshire may now be examined as it is revealed in A.R. 505.

In regard to only one of the great prises are references in the roll so clear that they leave no room for doubt. This is the prise of corn ordered on April 15, 1298, the collection of which led to some ⁽¹⁾ seven complaints, five of which are dated. In all of them the offending official was a bailiff; and in all but one the bailiffs justify their action by appealing to the warrant of Peter de Molinton, a royal clerk appointed to supervise the collection of this prise ⁽²⁾ in Lincolnshire. The one case in which there is no appeal to Peter's warrant is that in which the official concerned is a sub-bailiff, and this, incidentally, is the only case in this group where the complaint, as recorded in A.R. 505, was not made by personal ⁽³⁾ querela of the plaintiff. This, however, may have no particular significance, since the case seems to be merely a final record of a cause which has been already argued: but the other circumstances of it may together illustrate a point in the working of the local administration. Peter, the royal clerk, though he/

(1) Nos. 237, 240-1, 316, 370-2.

(2) C.P.R. 1292-1301, p. 344.

(3) No. 316.

he might have special collectors of prise under him
 (1)
 in the localities, would also, and perhaps chiefly,
 rely upon the existing administrative organisation of
 bailiffs and their subordinates. It is clear that he
 issued warrants to bailiffs of ridings and wapentakes
 (2)
 to collect corn: but would he issue one to a mere sub-
 bailiff whose superior, the bailiff of the wapentake,
 already had it? It is hardly likely; if the sub-
 bailiff was also required to produce a warrant - for
 which there is no evidence - he would obtain it from his
 immediate superior, not from the royal clerk, who
 probably never visited the wapentakes at all but re-
 mained in one or other of the receiving centres.

The kinds of complaint made against the
 bailiffs in respect of this prise conform to what the
 student of local administration in the thirteenth
 century learns to expect: bailiffs took corn for the
 king's use but retained it in their own possession
 (Nos. 237, 370); one of them entered another plain-
 tiff's storehouse and without warrant seized and
 carried off four quarters of malt, and then refused to
 give him a tally in receipt for it - this was serious,
 for it laid the plaintiff open to similar visitations
 for/

(1) There is some evidence for this in A.R. 505: see
 below.

(2) Cf. Nos. 241, 370, 371, and the orders of the
 justices, for warrants to be produced in Nos.
 237, 372.

for the same prise (No. 240); the same bailiff maliciously and without warrant seized from a third plaintiff five quarters of malt, unjustly distrained him to buy malt where he had none - by which is probably meant that the plaintiff had less malt than was demanded of him - unjustly seized 1 quarter of salted flesh, and finally added insult to injury by sealing up his doors and ejecting him from his own house! (No. 241) There must surely have been personal enmity behind this extremely high-handed behaviour.

The seizure of the salted flesh may probably be disregarded here as a mere excess of instructions, but the repeated references to the taking of malt are important. In the instructions for making this prise there is no mention of malt, yet we not only find it being taken - it is to be noted that the complaints are not against taking the malt as such, but against taking it without warrant - but there is a body of complaint also that bailiffs and collectors take money to exempt individuals from the prise of malt. (1) These cases probably refer to the 1298 prise, since in three of them the bailiffs concerned were in office in 1298, (2) "The prise of malt," as it was called/

(1) Nos. 312, 322, 335, 353.

(2) Under Richard of Draycote, sheriff. The bailiffs in question are Thomas of Easton, bailiff of Beltisloe and Ness; Adam le Lung, his subbailiff, and Hugh Bawolf, bailiff of Aswardhorn: see App. II, list of bailiffs, ~~pp~~ In the fourth case the offender is a collector (353)

called, seems therefore to have been a well recognised part of the general prise of corn supervised by Peter de Molinton. There is, however, one case ⁽¹⁾ which seems to include more than one prise: Thomas of Easton took not only corn and malt, but also flesh. There is no date nor mention of Peter de Molinton, but Thomas was bailiff in 1297 as well in 1298, and in the former year there was both a prise of corn and one of flesh. If this case, then, belongs not to 1298 but to 1297, it provides evidence that malt was also taken then, though again there is no mention of it in the instructions of the central authority. ⁽²⁾

There are four other complaints against prises of corn; but as three are not dated nor the offenders bailiffs, though they may have been collectors, it is impossible, on the evidence available, to assign them to their chronological place. ⁽³⁾ The fourth also is not dated, but the offender is Ivo of Billingham, who was bailiff of Flaxwell and Langoe in 1297 ⁽⁴⁾ in 1297 but not after Easter, 1298. hence the prise of corn which led to this complaint may be dated at the/

(1) No. 305.

(2) Prise of corn of 5 Nov. 1297: see Table III, pp. li-lk.

(3) Nos. 315, 332, 427

(4) No. 394, and cf. App. II, list of bailiffs, p.

because it was fat - perhaps an unconscious commentary on the normal condition of oxen. There seems little doubt that these beasts were taken under instructions for the prise of flesh ordered on 5 June 1296: the⁽¹⁾ date 10 July confirms one case, and the dates of the bailiffs' tenures of office strongly suggest the probable dates of the others. The complaints themselves are again not concerned with the prise itself but with the conduct of bailiffs. Even Simon of Waith has nothing to say against the fact of a prise of flesh, merely that as he holds the royal protection the bailiff had no right to take his ox. William Pynn is resentful at the loss of his fat beast, but he does not say it was unjust to take any oxen at all. Nor do the monks, nor even Agnes Mol, though by losing a member of the plough-team she suffered the greatest injury of any.

There remain to be discussed the instances of prises of sheep and of linen cloth. There are six⁽²⁾ complaints against bailiffs who took sheep for the king's use, and a number of cases where money was taken⁽³⁾ by bailiffs to exempt persons from this prise. Of the six cases, the basis of complaint in five is that the bailiff could have found better sheep elsewhere at less hurt to the owners: it is not against the prise of sheep/

(1) See Table III, pp. li-lx (2) Nos. 29, 31-2, 395, 419-20

(3) e.g. Nos. 396-7

(1)
 sheep itself. In the sixth case the injustice to the owners was considerably more serious. It transpired that Ivo of Billingham, the bailiff, having taken the sheep, entered the number of them in the roll under his own name, so that when the king paid for them Ivo would receive the money which should have gone to the real owners of the sheep.

But this case does not merely expose a dishonest vailiff: it also reveals a little of the administrative machinery at work. The roll mentioned was clearly an account in which each bailiff had to enter particulars of what they took, from whom, and perhaps also the assessed value of what was taken, and this process was no doubt an extension, on a large scale, of the normal procedure for taking the ancient prises of the crown. (2) The ultimate destination of these rolls, or at least of their contents, would (3) probably be either the Exchequer or the Wardrobe, but of the intermediate steps I have no certain evidence. On the analogy, however, of the final despatch (4) of goods in accordance with royal instructions, it may be suggested that the bailiffs' rolls, when complete/

(1) No. 395.

(2) What these included is discussed below, p.

(3) Cf. Miss M.H. Mills, *The Adventus Viccomitum*, in *E.H.R.* XXXVIII, pp. 331-54, esp. pp. 350-51, where she shows that as a result of the French & Scottish wars, the sheriffs were not only required to make very large local purchases, but were often told to account at the Wardrobe for some allowances claimed at the Exchequer.

(4) See the translation of a sheriff's account given below.

p. CXX

complete, would be handed to the sheriff, who would have a cirograph made, one half of which he would keep, and the other despatch to the central authority, perhaps by the hand of the royal clerk supervising the prise.

The question also arises as to whether these prises of sheep formed part of the great prises.
 (1)
 Doubt has already been expressed as to this, but it is to be noted that in the six cases discussed, only two bailiffs are involved, both of whom held office in 1297 but not after Easter 1298.
 (2)
 This means that the prise of sheep almost certainly took place in the same year as the prise of other flesh already discussed. It is therefore possible, but not certain, that a limited number of sheep were taken in this prise, though no specification in regard to them was included in the ordinance commanding it. But the number would have to be limited, since if too many sheep were taken, the staple wool trade would suffer, and with it a main source of national wealth; and this may well explain why sheep are not included in the ordinances for prises.

The only information as to a prise of linen cloth/

(1) Above, p. CV

(2) App. II, list of bailiffs, s.v. Ivo of Billingham and Nigel le Chapman.

cloth that can be gathered from A.R. 505 is to be
 found in four entries ⁽¹⁾ in which bailiffs are convicted of taking money to spare individuals from this and other prises. The bailiffs involved were the notorious Ivo of Billingham (398, 405), a sub-bailiff of his, Alan of Tallington (402), both of whom were in office during 1297, but not after Easter, 1298; and Walter Deaudamur, an official whose rank is never mentioned in A.R. 505, but who is always found acting as if he were a bailiff. This very scanty evidence, which I have been unable to supplement from other sources, indicates that this prise of linen cloth was taken in 1297 or very early in 1298.

There is one case of a bailiff levying an excessive sum for carriage (382), but this is an isolated example of official misuse of one of the ancient prises of the crown, and can hardly be said to come within the orbit of specifically war-time burdens, since it might and did happen at any time. ⁽²⁾

We are left now with the largest single body of complaint recorded in A.R. 505 in connexion with prises: taking money unjustly to exempt individuals from prises, some instances of which have already been/

(1) Nos. 398, 402-3, 405.

(2) See below, p. where the appropriate article of Magna Carta is discussed.

been noted; and wrongful seizure of goods under cover
 of prise.⁽¹⁾ Of these practices the first is the
 commonest: as with similar practices in respect of
 taxes on movables, it appears to be the smaller tenants
 who are most exposed; the bailiffs knew their power,
 and knew against whom they could most safely exercise
 it. For the victim it was a choice of evils; if he
 resisted the bailiff, he stood to see more of his goods
 taken, under cover of authority, than were required for
 the king's use, and while he might eventually be paid
 for what the king really required, he would still be
 the loser. If he gave the bailiff the sum demanded in
 lieu of a prise he would still lose, but perhaps not
 so much, unless the bailiff saw fit to repeat the
 demand. Unfortunately A.R. 505 gives no concrete
 example of this dilemma, but from the general conduct
 of bailiffs as revealed by the roll, it is not dif-
 ficult to visualise something of what probably happened.

There were thus good grounds for complaint;
 but it must be said once again that in every case the
 emphasis is laid upon the conduct of those officials,
 mostly royal bailiffs, to whom was entrusted the col-
 lection of prises. The justice of imposing the prises
 themselves/

(1) e.g. Nos. 314, 317.

themselves is nowhere questioned in A.R. 505: they may have been felt as grievance, and doubtless the seizure of a sheep or an ox or a quarter or two of corn often meant real hardship to the owner; but the behaviour of the king's ministers was a far greater grievance.

Prises were imposed at irregular intervals; they may have been burdens, even serious ones, but the memory of them soon faded, as witness the dates of those which gave rise to complaints in A.R. 505 - the early prises were not even mentioned, so far as can be determined. But the bailiff was always present, and, if the evidence of A.R. 505 is valid, was rarely to be trusted to carry out his commissions honestly, without⁽¹⁾ oppressing whom he might. If A.R. 505 was a measure of public resentment against royal officials, it was also, as will be shown, a measure of lack of public opportunity for redress.

Some indication having been given as to how the imposition of wartime prises affected the people of Lincolnshire, attention may now be turned to the effect of them upon the local administration. It is already evident that the staff of bailiffs formed the principal agents for collecting prises, but in one of the complaints the offenders are said to be collectors, and in/

(1) Miss Cam's analysis of the Hundred Rolls of 1274-5 is a striking indication of this: The Hundred and the Hundred Rolls, numerous refs.

(1)
 in two more they may have been. But the question of special collectors of prise is an obscure one. I have not found, in the ordinances or in the writs appointing supervisory clerks, any evidence of a comprehensive system of collectors and sub-collectors such as was regularly used to collect a tax on movables. Yet the imposition of a great prise must have entailed almost as much work in the localities as a grant of a tax on movables. It is true that the sheriff's administrative staff, the bailiffs and sub-bailiffs and their underlings, was accustomed to act as takers for ordinary purposes - for provisioning royal castles under the direction of the constable, for supplying the needs of the royal household in its peace-time aspects, and the like - but to collect the great war-time prises must have imposed a very great strain upon an already well-occupied staff of bailiffs if they were to do it unaided. Although, therefore, A.R. 505 shows bailiffs to have been chiefly responsible for making prises, it is not surprising to find some evidence of a supplementary staff at work assisting them. This evidence is not extensive, however: the 'collectors of corn in Swaton levied there 1 quarter and 6 bushels of corn above what went to the king's use; similarly two men levied/

(1) Nos. 427, 332 respectively

(2) No. 427. The collectors were William the Provost (reeve), Robert the Clerk and John Slech.

levied corn in Bulby to excess,⁽¹⁾ and two others levied money in Heckington over and above what was needed to buy corn.⁽²⁾ These four men are given no rank, but it is possible though not certain that they were also collectors. And four men are ordered to be attached to answer to the presentment of the Asward-horn jurors concerning the taking of corn and other things;⁽³⁾ they may have been collectors. On the other hand, one of the writs issued in connexion with the prise of corn ordered on 29 November 1296 is quite explicit. It is addressed to the sheriff and contains instructions to him and to his sub-bailiffs as to the prise,⁽⁴⁾ but makes no mention of other collectors; and elastic as the term bailiff is, it can hardly be held to cover special collectors as distinct from the ordinary administrative staff.

But if there were special collectors of prises to assist the bailiffs, there were also local receivers of corn, whose duty was probably to supervise the/

(1) No. 315, Robert Benet and Richard ad Ecclesiam.

(2) No. 332, Robert Leverb' and Robert le Engleys.

(3) No. 333, '... de capcione bladi et aliorum...' The men in question were Philip son of William of Helpringham, John Fraunceys, Walter of Culverthorpe and William Loveday.

(4) K.R.M.R. No. 70, m.20, '... accepimus quod tam tu et subballiui tui quam alii vicecomites et subballiui eorum

the despatch of corn taken in their districts to receiving centres like Lincoln. There is evidence of such receivers at Boston, which if a receiving centre for surrounding districts was also a post of despatch,⁽¹⁾ and also in the vill of Horbling in Aveland.⁽²⁾ Thus the imposition of a wartime prise involved additional work for the normal administrative staff of bailiffs and sub-bailiffs - with, as has been shown, additional opportunities for illicit enrichment - and seems also to have involved the appointment not only of a special clerk to supervise the prise, but local collectors and receivers as well.

It also entailed heavy responsibilities and labour for the sheriff, as well as for the supervisory royal clerk. Together they were answerable for receipt of the articles taken, their preparation for despatch, carriage to the posts, if the prise were to be sent overseas, and all the arrangements for transport thither.⁽³⁾ As to what these duties involved, it is best to let Ralph Paynel, sheriff of Lincoln/

(1) No. 446, and cf. the sheriff's account given below.

(2) No. 448. The question of collectors/receivers of corn needs closer investigation.

(3) e.g. the prise of corn of 12 May 1296 (Table III, pp. 11-12). Among the instructions issued to sheriffs are a writ de bladis recipiendis et usque diuersos portus cariandis; one de bladis liberandis, and one - significantly - de cariagio bladi festinando. K.R.M.R. No. 69, m. 77d.

Lincoln from Easter 1297 to Easter 1298, speak for himself. The schedule printed below was one of expenses incurred in the despatch to Flanders, in June 1297, of the prise of corn ordered in November of the previous year, to supervise which Richard of Hetherington, a royal clerk, was appointed for Lincolnshire. ⁽¹⁾

The schedule is written on a single membrane some ten inches wide by about thirty long, widely serrate ⁽¹⁾ of the right-hand margin. The information entered on one side was repeated on the other; Richard took the left-hand portion to the Exchequer with him, while Ralph kept the right-hand one as his warrant when obtaining payment for his expenses. It is Richard's half of the schedule ⁽²⁾ that has come to us.

Corn taken in the county of Lincoln for the lord king's use by Richard of Hetherington, clerk, and Ralph Paynel, sheriff of that county, in the 25th year of the reign of King Edward: and expenses incurred with respect to the aforesaid corn by the said sheriff, by view of the said Richard, about the feast of S. John the Baptist (24 June, 1297)

Sum of the whole receipt of corn there taken: 2741 quarters and half a bushel, as appears by the items (particula) below:

Of corn, 1231 quarters, 1 bushel, 1 peck; and of beans and peas 356 qrs. 1 bush.; of barley, 202 qur. $1\frac{1}{2}$ bush. 1 peck; and of oats 951 qrs. and $\frac{1}{2}$ a bushel: of which the receipt was as follows:

At Lincoln $780\frac{1}{2}$ qrs. 1 bush., i.e. of corn, $314\frac{1}{2}$ qrs 1 peck
of beans and peas, $65\frac{1}{2}$ qrs. 1 bush.

(1) K.R.M.R. No. 70, m.114

(2) P.R.O. Sheriffs' Admin. Accts. No. 568/1. The translation is mine.

of barley, $133\frac{1}{2}$ qrs. 1 peck
of oats, 267 qrs. $1\frac{1}{2}$ bush.

At Boston $1275\frac{1}{2}$ qrs,
1 bush, i.e. of corn, $492\frac{1}{2}$ qrs, $\frac{1}{2}$ bush.
of beans and peas, 232 qrs. 1 bush
of barley 44 qrs.
of oats, $505\frac{1}{2}$ qrs. $1\frac{1}{2}$ bush.

At Wainfleet 248 qrs, 1 bush, i.e.
of corn 131 qrs $\frac{1}{2}$ bush
of beans and peas $5\frac{1}{2}$ qrs. $\frac{1}{2}$ bush.
of barley, nil.
of oats, $111\frac{1}{2}$ qrs.

At Grimsby 436 qrs. $1\frac{1}{2}$ bush, i.e.
of corn 292 qrs.
of beans and peas 53 qrs. $\frac{1}{2}$ bush
of barley $24\frac{1}{2}$ qrs. $1\frac{1}{2}$ bush.
of oats 66 qrs. $1\frac{1}{2}$ bush.

Sum of the whole of the corn milled in the aforesaid (1)
county: 239 qrs, of which the millings were as follows:

At Lincoln, 135 qrs., of which there is
of sifted flour (2) 123 qrs. $1\frac{1}{2}$ b.
of bran (3) $59\frac{1}{2}$ qrs.

At Boston, 62 qrs, of which there is
of sifted flour 57 qrs.
of bran 22 qrs. $1\frac{1}{2}$ bush.

At Grimsby 42 qrs, of which there is
of sifted flour 42 qrs.
of bran 13 qrs.

according to the report of the bakers chosen and sworn
for this. (4)

Sum total of the sifted flour: 227 qrs, $1\frac{1}{2}$ bush. And
the sum total of the bran: $95\frac{1}{2}$ qrs, $1\frac{1}{2}$ bush., for the
cost of which the aforesaid sheriff is answerable (5)
by a certain cirograph sewn to this (6).

Sum of flesh taken in the aforesaid county:
16 carcasses of beef
 $43\frac{1}{2}$ sides of bacon.

Expenses/

(1) de quibus molit' fuerunt, videlicet ..

(2) farina bult'

(3) fur^pure

(4) juxta respons' pistorum ad hoc electorum et iuratorum

(5) oneratus est

(6) per quoddam cyrographum huic consutum

Expenses incurred in respect of the aforesaid corn:

For grinding 135 qrs of corn at Lincoln: 33/9, viz.
per quarter 3d. (1)

For grinding 62 qrs. of corn
at Boston: 15/6, viz., per qr. 3d. Item, for
grinding 42 qrs. of corn at Grimsby, 10/6,
viz., per qr. 3d.

Total, 59/9.

For bolting (sifting) flour obtained from corn
ground at Lincoln, viz. 135 qrs: 5/7½, viz. per
qr. ½d (2) Item for bolting flour obtained
from corn ground at Boston, viz., 62 qrs. 2/7,
viz., per qr. ½d. Item for bolting flour ob-
tained from corn ground at Grimsby, viz. 42 qrs:
1/9, viz., per qr. ½d.

Total, 9/11½

40

For ells of canvas bought at Lincoln for the place
for bolting the flour, made as a granary: 11/8, price
per ell, 3½d (3). Item for 20 ells of canvas bought at
Boston for the same: 5/10, price per ell 3½d. For 20
ells of coarse pieces (4) bought at Grimsby for the
same: 3/4, price per ell, 2d.

like

Total, 20/10.

For carriage of 135 qrs. of corn ground at Lincoln,
from the granary to the mill and from the mill to the
place for bolting: 3/- (5) Item, for carriage of
corn ground at Boston to the mill and from the mill:
2/6d. Item, for carriage of corn ground at Grimsby
to the mill and from the mill: 1/2.

Total, 6/8.

For 37 ells of coarse pieces bought for making sacks
for portage of corn received at Lincoln, of which were
made 10 sacks: 4/7½, price per ell, 1½d (6). Item,
for 16 ells of coarse pieces bought for portage and
conveyance/

(1) In multura. .cxxxv. quart' frumenti apud Linc'
.xxxij. s. ix. d. videlicet per quart' .ij. d.

(2) In bultacione farine pconuenientur de blado molito
apud Linc' etc.

(3) In .xl. ulnis canabi empt' apud Linc' pro loco
bultacionis farine facto ad modum granar' .xj. x.
s. viij. d. prec' ulne .ij. d. ob. etc.

(4) grosse tele (5) In cariagio .cxxxv. quart' fru-
menti moliti apud Linc' de granario usque ad
locum bultacionis, et. (6) In .xxxvij. ulnis
grosse/

conveyance of corn received at Boston and at Grimsby: 15/-, price per sack, 3d. Item, for 111 ordinary sacks bought for the same: 27/9, price per sack, 3d.

Total, 49/4½.

(1)

For 13 casks bought at Lincoln for storing the flour bolted there: 19/6, price per cask, 1/6. Item for 22 barrels bought there for the same: 18/4, price per barrel, 10d. Item, for the wages of 2 men repairing, cleaning and refitting (2) the said casks and barrels for 12 days: 8/-, viz., to each of them 4d per day. Item, for hoops and nails (3) bought for the same: 7/6. Item for 5 Rhenish tuns (4) bought at Boston for storing the flour bolted there: 12/6, price per tun, 2/6. Item for 5 casks bought there for the same: 8/4, price per cask, 1/8. Item for the wages of one man repairing, cleaning and refitting the said tuns and casks for 8 days: 2/8, viz., 4d. per day. Item for hoops and nails bought for the same: 2/2. Item for 8 casks bought at Grimsby for storing the flour bolted there: 13/4d, price per cask, 1/8. Item for hoops and nails bought for the same: 1/3½d.

Total, £4.13.6½

(5)

For the hire of 12 bearers at Lincoln carrying corn from the granary to boats for 3 days: 9/-, viz., to each of them 3d per day. Item for the hire of 4 bearers there for 1 day for the same: 12d, viz., to each of them 3d per day. Item for the hire of pulleys to load (6) 13 casks and 22 barrels on to the boats there: 6/11, viz., 3d per cask and 2d per barrel. Item for the hire of 16 bearers at Boston for 12 days for receiving corn there and for carrying corn coming from Lincoln to the great ships: 48/--, viz., to each of them 3d per day. Item for hire of pulleys to load 10/

hatus

grosse tele emptis pro saccis faciendis pro blado apud Linc' recepto portando et cariando etc.

- (1) imponend' (2) reparant' mundant' et refic'
 (3) In circulis et clavis
 (4) doliis de Ryn'
 (5) .xij.portitorum
 (6) In stipend' polenar' trahent' ..

10 tuns and casks filled there, and 13 casks and 22 barrels coming from Lincoln, into the great ships at Boston: 9/5, viz. 3d for each cask and 2d for each barrel. Item for the hire of 6 bearers at Wainfleet for 4 days: 6/-, viz., to each of them 3d per day. Item for the hire of 8 bearers at Grimsby for 4 days: 8/-, viz., to each of them 3d per day. Item for the hire of pulleys to load 8 casks filled there into the great ships: 2/-, viz., 3d for each cask.

Total, £4.10.4.

(1)

For carrying 179 $\frac{1}{2}$ qrs, 1 peck of corn from Lincoln to Boston by water: 22/5 $\frac{1}{4}$, viz., for each quarter 1 $\frac{1}{2}$ d. Item for carrying 65 qrs, 1 bush. of beans and peas there: 8/1 $\frac{3}{4}$, viz., per qr. 1 $\frac{1}{2}$ d. Item for carrying 133 $\frac{1}{2}$ qrs, 1 peck of barley: 11/1 $\frac{1}{2}$, viz., per qr. 1d. Item for carrying 267 qrs, 1 $\frac{1}{2}$ bush. of oats there: 16/8 $\frac{1}{2}$, viz., $\frac{3}{4}$ d. per qr. Item for the hire of dunnage(2) for the boats carrying the said corn: 2/10. Item for carriage from Lincoln to Boston by water of the aforesaid 35 casks and barrels, which contained 123 qrs, 1 $\frac{1}{2}$ bush. of flour: 15/5, viz., 1 $\frac{1}{2}$ d per qr.

Total, 76/8

For the hire of 5 small boats to carry 540 qrs. of corn from Boston to Wainfleet to bigger ships: 15/-, viz., for each boat, 3/- And for the hire of one small boat by itself(3) for the same: 2/3. Item for the hire of dunnage for the same small boats: 2/6. Item for the hire of one small boat to carry 32 qrs. 7 strikes of corn from the final remainder(4) at Wainfleet to Boston, and for dunnage for the same: 8/6.

Total, 38/3.

For/

(1) In carriacione
(2) In conduccionē dennag'

(3) per se.

(4) ...estrik' de ultimo rem'

For the hire of 2 men receiving and measuring corn at Lincoln at the granary, and from the granary to the boats, for 16 days: 8/-, viz., to each of them 3d per day. For the expenses of one clerk living there(1) for the same time, over the receipt and delivery of the aforesaid corn:(2) 5/4, viz. 4d per day. Item for the hire of 4 men receiving and measuring corn at Boston for 14 days: 14/-, viz. to each of them 3d per day. Item for the expenses of one clerk living there for the same time, over the receipt and delivery of the said corn: 7/-, viz., 6d per day. Item for the hire of 2 men receiving and measuring corn at Wainfleet for 10 days: 5/-, viz., to each of them 3d per day. Item for the expenses of one clerk living there for the same time, over the receipt and delivery of the said corn: 5/-, viz., 6d per day. Item for the hire of 2 men receiving and measuring corn at Grimsby for 8 days: 4/-, viz., to each of them 3d per day. Item for the expenses of one clerk living there for the same time, over the receipt and delivery of the said corn: 4/-, viz., 6d per day.

Total, 52/4.
(3)

For loading the ship of John de Nasingges called 'Petre de Sancto Botulpho' bound for Flanders(4) which held 266½ qrs of corn: 76/6. And for hire of dunnage of the same: 8/-. For loading the ship of Stephen of Stanham called 'Katerine de Sancto Botulpho', which held 152½ qrs of beans and peas, transporting them to the parts of Flanders:(5) 67/6d. And for hire of dunnage of the same: 8/6d.

For loading the ship of William de la Bothe called 'Jonette de Sancto Botulpho' bound for Flanders, which held 11 tuns of flour containing 54 qrs, and 73½ qrs of beans and peas, and 145 qrs of oats, 13½ carcasses of beef, 33½ sides of bacon: 67/6. And for dunnage of the same: 7/-. And for making a certain rope: 12d. For loading/

(1) existentis ibidem..

(2) ultra recepcionem et liberacionem blad' predict'..

(3) In frettag' nauis..

(4) ..usque in Flandr'

(5) ..usque in partes Flandrie transuehend'

loading the ship of Alexander Pyg' of Wintringham called 'Godyer de Sancto Botulpho' bound for Flanders, which held 34 casks of flour containing 131 qrs. $1\frac{1}{2}$ bush. of flour; and 469 qrs. of oats; and 111 qrs of barley: 75/-. And for dunnage of the same: $9\frac{1}{2}$. And for the hire of one pilot to take the ship out of port: (1) 3/-

For loading the ship of Laurence son of Hugh and Walter son of Alan called 'Belle de Weynflet' bound for Flanders, which held 100 qrs of corn and 120 qrs of oats: 30/-. And for dunnage of the same: $\frac{1}{2}$ a mark.

For loading the ship of Laurence son of Hugh called 'Blythe of Weynflet' bound for Flanders, which held 110 qrs, $\frac{1}{2}$ bush. of corn and 92 qrs of oats: 56/3. And for dunnage of the same: $\frac{1}{2}$ a mark.

For loading the ship of Alan of Wrangle and Peter son of Haco called 'Godyer de Weynflet' bound for Flanders, which held 135 qrs of corn and 59 qrs of beans and peas: 48/9. And for dunnage of the same. $\frac{1}{2}$ a mark.

For loading the ship of Simon of Wrangle and Thomas of Swyne called 'Faucon de Weynflet' bound for Flanders, which held 80 qrs of corn and 60 qrs of barley: 25/-. And for dunnage of the same: 6/-

For loading the ship of Robert son of Alan of Germethorp' called 'Blythe de Grymmesby' bound for Flanders, which held 81 qrs of corn and $51\frac{1}{2}$ qrs and $\frac{1}{2}$ bush. of beans and peas, and 5 qrs, 1 bush. of oats, $2\frac{1}{2}$ qrs of barley, 8 casks containing 42 qrs of flour: 38/6. And for dunnage of the same: $\frac{1}{2}$ mark.

For loading another ship of Peter Duraunt called 'Blythe de Grymmesby' bound for Flanders, which held 160 qrs of corn, 22 qrs, 3 bush. of barley, 61 qrs. of oats, $2\frac{1}{2}$ carcasses of beef and 10 sides of bacon: 60/-. And for dunnage of the same, $\frac{1}{2}$ mark.

For loading the ship of John Herny called 'Gerlaund de Brummouth', of Boston, bound for Anuers (Antwerp) in Brabant, which held 69 qrs, 1 bush. of corn, $20\frac{1}{2}$ qrs of beans and peas, 11 qrs of barley and 75 qrs of oats: £4. And for dunnage for the same 7/-.

Total for loading the 11 ships	
aforesaid	£31.5s.
Total for dunnage of the same	79s, 0 $\frac{1}{2}$
And for a certain pilot and	
one rope:	4s.

Sum/

Sum total: £59.15. 9d., concerning the items of which this schedule was made in two parts, (1) of which one part remains in the custody of the said Richard of Hetherington, clerk, for the use of the lord king; and the other part in the custody of the said Ralph, sheriff. But there ought to be withdrawn thence (2) 3/- for dunnage of the ship of John Herny, because he did not receive above 4/- where he ought to have received 7/- for the said dunnage. 9

(Attached to the above schedule is the following, written on a portion of a membrane about 8 inches wide by 6 long, and not serrated on either side):

Sale of bran extracted from the corn taken and milled in the county of Lincoln for the king's use by Richard of Hetherington, clerk of the lord king, and R. Paynel, sheriff of the said county, in the 25th year of the reign of king Edward:

The said Ralph the sheriff is answerable for 79/4 for the sale of 59½ qrs of bran extracted from corn milled at Lincoln, according to the report of the bakers of the city of Lincoln chosen and sworn for this; price per quarter, 16d. The same Ralph the Sheriff is answerable for 18/7 for the sale of 22 qrs, 1½ bush. of bran extracted from corn milled at Boston, price per quarter, 10d. The same Ralph the sheriff is answerable for 9/4 for the sale of 14 qrs of bran extracted from corn milled at Grimsby, as appears in the other cirograph (3) to which this cirograph is sewn; price per qr. 8d.

Total, 107/3.

Sale of canvas there made:

The said Ralph the sheriff is answerable for 6/8, for the sale of 40 ells of canvas previously bought (4) for making a place for bolting flour at Lincoln; price per ell: 2d.

Total, 6/8.

Sum total, 113/11.

And memorandum, that from 20 ells of canvas bought at Boston for a place for bolting corn there, were made 6/

(1) facta est bipartita.. (2) .. set inde debent extrahi..

(3) This refers to the schedule translated above.

(4) prius empto

6 sacks. And from 20 ells of coarse pieces bought for the same at Grimsby, as appears in the other cirograph to which this cirograph is sewn, were made 5 sacks. And 10 sacks were made at Lincoln for portage and carriage of corn from 37 ells of coarse pieces which were bought as appears in the other cirograph. And 4 sacks which were made from 16 ells of coarse pieces at Wainfleet for portage and carriage of corn there. And 171 sacks, bought as appears in the other cirograph, were sent overseas to Flanders with the ships transporting corn thereto, in accordance with the ordinance and write of the lord king regarding this, directed to the said Richard and the sheriff.

In this translation I have kept as close to the actual wording and appearance of the account as possible. Not only does it present a most vivid picture of what the handling of a war-time prise involved for the sheriff and the royal clerk in the matter of organisation, equipment and supervision, but it also reveals the practice of considerable economy. The casks, barrels and tuns were clearly not new, but old ones re-furbished; and such canvas as was not finally required for shipping the corn was re-sold. Its use to make places for bolting the corn suggests that the normal equipment was inadequate - not unnaturally, since prises on the scale of those imposed in war time were not normal, as will be shown.

It has by now become evident that the war-time prises played an important part in local administration and were the source, if indirectly, of the largest body of complaint in A.R. 505. With the greatest/

greatest emphasis in Lincolnshire thus laid upon prises, it is necessary to examine the question in its larger, national aspect; and in doing so it will be found that for the war period there is a similar emphasis in this field also. I have already drawn, by implication, a distinction between great prises and other prises: this requires elucidation, for which reason, and because there appears to be some uncertainty as to the general nature and incidence of prises, at least during the thirteenth century, I now attempt to state some of the points at issue.

A prise ad opus regis, in its simplest form, seems to have meant the taking of something for the use of the king by virtue of the royal prerogative. Because there was normally attached to this prerogative right the duty of making payment for what was taken, the general term purveyance has been applied to its exercise, but for the thirteenth century the use of this term, with its connotation of more or less automatic payment, would obscure what was at that time a very real struggle. The normal word used in the thirteenth century itself was prisa or captio, verbally capere, and in French documents prendre, prise, - to take/

(1)
take, rather than to buy.

A convenient starting point for the following discussion is the requirements of the barons of Magna Carta. In respect of prises ad opus regis the Articles of the Barons of 1215 contain three desiderata, (2) all of which are embodied as undertakings in the 1215 issue of the Charter. The first required that no royal constable or bailiff should take anyone's corn or other goods without making immediate payment for it, (3) unless he could secure credit by consent of the seller.

In/

(1) cf. Magna Carta, 1215, c.28, 'Nullus constabularius uel alius balliuus noster capiat blada...!; c.30, 'Nullus vicecomes uel balliuus noster capiat equos...' (McKechnie's text, Magna Carta, pp. 385, 392, cf. Stubbs' text, S.C., 9th ed., pp. 296-7); capiat, Articles of the Barons, 1215 (S.C. p. 287, articles 18 and 20); Petition of the Barons, 1258, art. 22, 'Item de prisis domini regis...conqueruntur quod dicit captores ...' (S.C. p. 376); Stat. Westm. I, c. VII, 1275, '...qe nul conestable...nule manere de prise ne face...' (Stats. Realm I, p. 28); manifesto of Earls Marshal and Constable, 1297, '... il sunt greves de diverses... prises ...' (B. Cott. p. 326), '...afflicti sunt per diuersa...prisas...' (Trivet, Ann, p. 360-2); Confirmatio Cartarum, 1297, '... qe mes pur nule busoyne tieu manere des... prises...' (S.C. 9th ed. p. 491). Only with the year 1300 is the term purveour beginning to be used: '...fors qe les prenours le roi e purveours pur lostel le roi' (Art. sup. Cartas, art. ii, Stats. Realm I, p. 137) - and here the terms are contrasted.

(2) Articles of the Barons, Nos. 18, 20, 21, in S.C. p. 287.

(3) Magna Carta, 1215, c. 28 (S.C. p. 296; McKechnie, op. cit., p.385.)

In the second, John agrees that no sheriff or bailiff of his should take any freeman's horses or carts for transport, except by consent of the owner. (1)
A similar promise is given in respect of timber required for royal castles or other works. (2)

In these three provisions there is only one prohibition: the king is no longer permitted the right to take timber from anybody without asking for it first. This, however, need not detain us; the right has gone, and that is the end of the matter as far as the present discussion is concerned. In the other two provisions the right has not gone, but conditions are attached to the exercise of it. How it came to exist and to be allowed is not difficult to see. There were royal castles to be garrisoned, and if garrisoned, to be provisioned; moreover, the administration of the country had not yet reached a stage where it could be effectively controlled from a fixed centre, a process by no means complete at the close of Edward I's reign, still less so a century earlier. (3)
Thus the necessities of administration itself/

(1) Magna Carta, 1215, c. 30, (S.C. pp. 296-7; McKechnie, p. 392)

(2) Ibid, c. 31. (S.C. p. 297, McKechnie, p. 393)

(3) The history of this process is described by Tout, Chapters, esp. vol. 1.

itself, apart from other factors, required a considerable degree of movement from place to place, not on the king's part only, but on the part also of a large proportion of his household.⁽¹⁾ This implied frequent, protracted and numerically large royal progresses. Both king and household had to live, whether on the royal demesne or off it, and if the king had not possessed, as part of his prerogative, the right to acquire at least perishable necessities as he moved about, the difficulty of providing for a numerous retinue must have been well-nigh insuperable.

Therefore the barons of Magna Carta wisely did not attempt to remove the right of prise.⁽²⁾ What they did try to restrict in 1215 was an unwarranted extension of the prerogative, and in doing so unconsciously set a standard against which royal actions in taking prises were still being judged a century later. The specific ground of complaint in 1215 was that of non-payment for goods taken, but the omission of the words 'ad opus regis' perhaps implies that royal/

(1) i.e. whatever part of the curia was with the king.

(2) What the baronage dealt with was, however, a private right, not an administrative process. Nevertheless, Tout has shown clearly that the middle age was not concerned with differentiating the private and public activities of the king. Cf. Chapters, I, pp. 19-20.

royal officials were arrogating to themselves, for their own use, powers which belonged to the king and only by delegation, in virtue of their office, to them. It is local prises, taken ostensibly in the interests of local royal administration, by local royal officials, that are to be restricted, especially in regard to provisioning royal castles. (1)

In the 1216 re-issue of Magna Carta the two articles regarding prises are modified in a common-sense direction. That relating to prises of corn both regulates more closely the conditions of payment and defines the officials to whom these conditions apply. In 1215 merely 'no constable or bailiff of ours,' in 1216 'no constable or his bailiff shall take corn or other goods of anyone,' not 'anyone at all,' as implied in 1215, but 'who does not belong to the vill where a castle is situated' (2) This narrows the field and defines it with precision. Similarly, the article relating to prises of horses and carts ad opus regis is both better defined and made more equitable. The clause regarding freemen (3) is omitted and the word 'anyone' inserted, thus in/

(1) Cf. McKechnie, op. cit., pp. 387-8, who brings this point out well.

(2) Magna Carta, 1216, c. 21 (S.C. p. 338), cf. 1215, c. 28.

(3) Ibid., 1216, c. 23, (S.C. p. 338), cf. 1215 c. 30. I append the article in full: 'Nullus vicecomes uel balliuis noster uel alius capiat equos uel caretas alicuius pro cariagio faciendo nisi reddat liberacionem antiquitus statutam, scilicet pro caretta ad duos equos decem denarios per diem, et pro caretta ad tres/

in theory giving the unfree the same right of refusal as the free; and the price to be paid is fixed.

The changes in the second re-issue of the Charter in 1217 are trifling as regards provisioning castles by prise, but a new article was inserted which considerably restricted the right of taking horses and carts - very much in favour of the aristocracy. Prise of these means of transport by royal officials is prohibited from the demesne of any ecclesiastic or knight or lady.⁽¹⁾ These articles were not again altered in the thire re-issue of the Charter in 1225, and, in the form which they finally took in 1217, remained the back-ground against which future complaints could be set, unless such complaints were made in directions of which Magna Carta took no cognisance.

It should be emphasised at this point that Magna Carta does not call in question the king's right of prise for the sustenance of himself or his household, but only that part of the right which was abused by constables of castles and their subordinates; and that even this part of the right was merely restricted/

tres equos quatuordecim denarios per diem.'

(1) Magna Carta, 1217, c.26 (S.C. p. 342). The articles in this issue corresponding to Nos. 21 and 23 of 1216 are Nos. 23 and 25 respectively.

restricted, save in the case of timber. Furthermore, the prises which do find a place in the Charter were local in extent and specialised in kind, not national or semi-national, affecting everybody everywhere: none the less, they had a humble part to play in the national administration. Nor, because certain types of prise are not dealt with in the Charter, is it correct to assume that they did not exist. It can be safely inferred only that such prises find no place because the baronage was not affected by them: the 'ancient prises due and accustomed' included more than just the right to provision castles or take the means of transport. (1)

By the middle of the thirteenth century complaints are again being made against prises, and are voiced in the barons' petition to Henry III at the Parliament of Oxford in 1258, in these terms: 'Item, concerning prises of the lord king in fairs, markets and cities, that those who shall have been assigned to take these prises shall take them reasonably, that is, in such quantity as pertains to the aforesaid right (usus) of the lord king; whence they/

(1) e.g. the prise of wine at the ports, and prises of merchandise at the great fairs.

they complain that the said takers seize double or treble what goes to the use of the lord king, for they take the whole of that excess for their own use or retain it for the use of their friends, and some part of it they sell.'⁽¹⁾ And again: 'Item, they complain that the lord king makes almost no payment for prizes, so that many merchants of the realm of England are more than impoverished, and other foreign merchants are on this account withdrawing themselves and their wares from selling in this country, whence the realm is incurring great loss.'⁽²⁾

(1) Petition of the Barons, 1258, Art. 22. (S.C. p. 376)

(2) Ibid., Art. 23. Gras, discussing this very complaint in relation to the theory that customs duties are the offspring of the royal right of prise (which theory he rejects), makes what seems to be a curious mistake. He says (Early Eng. Customs System, p. 17) that the barons in their petition asked the king not to take payment for prizes in ways which would be detrimental to trade. But the verb used by the Barons is facio, not capio: make payments, not take them. Take fits in admirably with Gras' argument; but the barons, in using the word make, are clearly implying that it is the king's failure to make payments for goods seized which is hampering trade, not taking payments in lieu of goods to such an extent as to hamper trade, which is what Gras apparently wishes to make out. His argument, at least so far as this evidence goes, thus falls to the ground. The whole tenour of the complaint supports the use of facio. The phrase used is nullam fere facit pacacionem; the effect of nullam fere capit pacacionem would surely have been to cause quite unwonted joy to all merchants and an immediate boom in trade! In any case, the complaints are against the seizure of/

loss.'

The complaints of the barons in 1258, as compared with those of their ancestors in 1215, illustrate both a widened outlook and the added importance to which prises of merchandise had attained during the intervening years. But no specific/

of goods at fairs, etc. by royal officials, and whether the goods taken were for the actual use of the king's household or for re-sale to increase the royal revenue does not seem to matter. If differences there are, it is in degree, not in kind; only if a prise were commuted to a money payment as the price of trading could it become a customs duty and thereby different in kind from a prise proper. Gras argues that Tout (Edward I, p. 141), among others, fails to make this distinction, thus assuming customs duties to have been a mere outcome of prises. But Tout in this place makes just the distinction that Gras denies him.

- (1) The absence of any mention of prises from fairs, markets and cities in Magna Carta is, as has been suggested, no proof of their non-existence in or before 1215. It is probably safe to say that in general this part of the royal right of prise was assumed, and grew up as trade grew up, and that its importance to the king increased as trade increased. Nor have I discovered any evidence to show that it was not included among the 'ancient prises due and accustomed.'

specific remedy is suggested in the Provisions of Oxford, the logical sequel to the complaints; there is only a general assertion that the king should confine himself to what was due to him of right. In any case, the Provisions of Oxford were annulled by the arbitration of St. Louis in 1264. There followed the barons' war and the settlement of 1265. For the Provisions was now substituted a confirmation of Magna Carta, which did not specifically touch the kind of prise complained of by the barons, and a 'Forma regiminis domini regis et regni' which was only very general in its terms. It ~~did~~, however, provide that royal officials, major or minor, were to be removed if they turned to evil ways in pursuance of their office, a vague phrase⁽¹⁾ which in practice left matters much as they had been - a situation demonstrated only too well by the evidence of the Hundred Rolls in the next reign.

While Magna Carta and the Provisions of Oxford draw attention to localised applications of the royal right of prise, they do not illustrate the degree to which it could be extended in times of emergency. A state of war was pre-eminently an occasion for this, since it was at such a time that, in/

(1) S.C. p. 401

in effect if not in form, the personnel of the royal household would be increased to include the whole of the royal armies which, like the household proper, had to be fed. The circumstances of the barons' war bring this out clearly. They provided both a reason for prises to be made on a much larger scale than normally, ⁽¹⁾ and a precedent for similar extensions of the royal prerogative which Edward I did not fail to use, when not only the armies for France and later for Scotland had to be provisioned, but part of the price of Edward's alliances against Philip of France had to be paid by a prise of wool. ⁽²⁾

Greatly as the right of prise was extended during the barons' war by Henry III, however, we do not hear of officials specially appointed to supervise the taking of such prises. This, as normally in times of peace, was still the function of the sheriffs and their bailiffs. ⁽³⁾ It is not until Edward I goes to war with France that we find both maximum extensions of the right of prise and special machinery to control the results of its exercise.

What/

(1) Miss Cam, *The Hundred and the Hundred Rolls*, p.101, shows, among other instances, the scale of prises taken by the sheriff of Suffolk in 1266-7, for war purposes; and Jacob, *Baronial Reform and Rebellion*, p. 253, shows that in 1266 the prises taken were so heavy that they exhausted the revenue of no fewer than ten counties.

(2) *Infra*, p.

(3) cf. Miss Cam, *op. cit.*, pp. 101-2.

What the reign of Henry III witnessed, therefore, was not merely a natural widening of the right commensurate in degree and content with widening commerce, but the setting up of an important precedent which in the next reign was to give new force and direction to the exercise of an old right.⁽¹⁾ And it must be emphasised at this point that action taken on this precedent by no means superseded the normal taking of prizes of wine, of goods at fairs and markets, of provisions for castles, of means of transport and so forth. Such action was additional to these things, not in place of them. Furthermore, as in 1215, so right through the century, the main grievance was not the inconvenience caused to individuals through having their goods requisitioned, but the financial loss they sustained by the failure of the central authority or its representatives to pay promptly or to pay at all.

A somewhat closer survey of the reign of Edward I will reveal both the new scope given to the right of prise during and after the barons' war and the part played by the use of the right in bringing about the crisis of 1287 and the years immediately following.

Edward/

(1) This does not necessarily imply that the precedent itself was a new one. It is the scale of it which is important.

Edward, inheriting the fruits of his father's misgovernment, was himself a man of orderly mind, and thus had a double ground for desiring a state organised and administered in an orderly manner. From the great public enquiry of 1274-5 into complaints against royal officials, which produced the Hundred Rolls, and from his first parliament, in 1275, resulted the very important Statute of Westminster I, and among its provisions are several which have to do with the right of prise. The first of these states that no one shall thresh or take corn or any kind of victual nor any goods from any prelate, religious, or any other person, clerk or layman, by purchase or otherwise, except by consent of the owner or his representative, either within market towns or without. Nor shall anyone take horses, oxen, carts, waggons, ships or barges for transport, without consent of their owners; and if this is given, payment shall at once be made according to the price agreed.⁽¹⁾

The word 'no-one' makes the provision clear enough: it must include royal officials as well as others. The corresponding clause of Magna/

(1) Stat. Westm. I, c.i. (Stats. Realm, I, p. 27, and notes 2 and 3.

Magna Carta⁽¹⁾ is both modified and extended. It is modified by the removal of the absolute prohibition from taking animals and vehicles for transport from the clergy, but it is extended by applying to the clergy the right of withholding their consent in the case of corn and victuals, in relation to which they are not mentioned in Magna Carta.⁽²⁾

The Statute of Westminster also affects the right of prise to provision castles. The wording upholds that of the equivalent articles in the 1217 Charter,⁽³⁾ but a saving clause at the end extends the scope of the Westminster article in a manner not secured, even if intended, by the barons in 1215; no constable or castellan shall hereafter take any kind of prise from any other persons than those of the vill wherein the castle is situated, and this shall be paid for, or agreement made, within 40 days, if it is not an ancient prise of the king or of the castle or of the lord of the castle.⁽⁴⁾ The emphasis in Magna Carta is upon offences committed in the name of the king only, by virtue of his right of prise; Edward, however, by this clause, not only takes/

(1) 1217 re-issue, c. 26; see post, p.

(2) Ibid, c. 23, 25; see post, p.

(3) Ibid., c. 23, 25

(4) Stat. Westm. I, c. vii (Stats. Realm, I, p. 28).

takes some of the emphasis off the royal right by extending provision concerning it to similar private rights, but also brings out the essential difference between Magna Carta and the Statute of Westminster. While the one was imposed from without upon a reluctant king, the other was granted by a king's free will, but with reservations. Hence the distinction, not drawn at all in Magna Carta, between ancient prises of the king and other prises which circumstances might compel him to impose. The implication is that here Edward is contrasting the normal with what might be abnormal but still legitimate. The clause was a serious attempt at definition, and if towards the end of his reign the king himself broke both the spirit and the letter of, it, that does not destroy its ultimate value.

Edward at the same time sought to regulate the behaviour of those appointed to take prises, having especial regard to the perennial grievance of non-payment. If takers of prise, having received their⁽¹⁾ payment from the exchequer, wardrobe or elsewhere, withhold it from creditors, to their grave damage and the slander of the king, the payment is to be immediately levied from the lands or belongings of the takers, with damages, and they are to make fine for their trespass/

(1) This definition of the paying authority is important, and is discussed below, p.

trespass; but if they have no lands they are to be
(1)
imprisoned at the king's pleasure.

Closely allied is the next clause of the same article, dealing with purchasing the king's debts; it is followed by a regulation to deal with an abuse of the prise of beasts and vehicles for
(2)
transport. The existing definition of this prise is not further amended, but steps are taken to check bribery. As regards those who take horses and carts for transport above what is required, and then take bribes to release them, any member of the king's court who does this shall be punished by the Marshal, and if the offence is committed out of the court, as well by minor royal officials, or by any other person, the offender shall be attainted, shall pay
(3)
treble damages and shall go to gaol for 40 days.

Finally, in the last article but one of the Statute, Edward had a general saving clause inserted, which covers everything contained in the Statute itself; as the king does these things to the honour/

(1) Stat. Westm. I, c.xxxii (Stats. Realm i, p. 34)

(2) Magna Carta, 1217, c. 25-6; Stat. Westm. I, c.i.,
supra, p.

(3) 1. Stat. Westm. I, c.xxxii (Stats. Realm I, pp.
34-5).

(4) Stat. Westm. I, c.60; (Stats. Realm I, p. 32).

honour of God and of Holy Church, and for the common weal and for the alleviation of those who are burdened, he wills not that these things shall be turned at another time to the prejudice of himself or of the crown, but that the rights which belong to him shall be saved at all points.⁽¹⁾

As far as the operation of the right of prise is concerned, the Statute of Westminster I represents a serious attempt to deal with a long-standing grievance, and for the first time sets forth in detail the remedial measures to be taken to end what had become a scandal. That they failed to do so was perhaps not wholly the fault of the king.

It is possible that Edward might have succeeded in establishing and maintaining a really efficient administration along the lines of his great legislative statutes if, in view of the financial and administrative legacy of his father, he had been content to pursue a purely negative foreign policy. But he was not content to do this. The financial requirements of the conquest of Wales, and in a special degree those of the quarrel with Philip of France and of the results of the Scottish arbitration, first hampered good administration and then/

(1) Stat. Westm. I. c50; (Stats. Realm I, p. 39).

then upset it, and in the end drove the lawgiver himself to administrative extremes, in order to cope with what by the end of the century had become a prolonged state of emergency. The position did not become acute until after 1294, but within three years of that date both the administrative system and especially the financial and material resources of the country had become so strained that Edward himself was faced with the humiliating alternatives of confirming the Charters afresh or of risking civil war. Nor did the period of strain end with his capitulation in 1297. It continued for the rest of the reign and left an evil legacy to Edward of Carnarvon in 1307.

It is during this period of strain that the royal right of prise assumed its highest importance in the century. Between the years 1296 and 1306, that is to say from about the middle of the war with France onwards into the protracted Scottish campaigns which followed it, there were made ten distinct prises which affected large areas of the country, and in some cases virtually the whole of it. These are best analysed in tabular form:

TABLE/

TABLE IV
NATIONAL OR SEMINATIONAL PRISES, 1296-1306.

<u>Kind of Prise</u>	<u>Date</u>	<u>Ordinance or Commission</u>	<u>Counties from which taken.</u>
Corn	About 12 May 1296.	Commission appoint- ing collectors on K.R.M.R. no.69, m.77d,80d,dated 20 June 1296	Glouc.Som.Dors. Surr.Suss.Wilts. Hants.Berks. Oxon.Beds.Bucks. Cambs. Hunts.
Corn	29 Nov. 1296	Ordinance, <u>Forma capcionis</u> and com- missions to col- lectors on K.R.M.R. no. 70,m.113,114; <u>Forma</u> repeated on L.T.R.M.R. no.68, m.20.	Norf.Suff.Essex, Herts.Middx.Oxon. Berks.Kent.Surr. Suss.Hants.Som. Dors.Glouc.Devon, Corn.Wilts.Bucks. Beds.Linc.Nort- hants.Rutl.Warw. Leic.Notts.Derb. Yorks.Northumb(1)
Flesh	25 May 5 June 1297.	Commission to col- lectors on K.R.M.R. no.70, m.115	Northants.Warw. Rutl.Leic.Notts. Derb.Yorks. Northumb.Cambs. Hunts.Oxon.Berks. Essex,Herts,Kent, Surr.Suss.Wilts.
Wool	30 July 1297	Ordinance on Pat- ent Rolls,C.P.R. 1292-1301, p.299, on K.R.M.R. no.70, m.108, and on L.T.R.M.R. no.68, m.63. Writs of ap- pointment in same places(2).	Yorks.Lines.Notts. Derb.Northants. Rutl.Cambs.Hunts. Beds.Bucks.Oxon. Berks.Norf.Suff. WarwLeic.Essex, Herts.Wilts. Hants.Som.Dors. Glouc.Worcs. Surrey.

Corn/

- (1) The counties down to and including Wiltshire are named on m.113; the rest were added at a slightly later date and are enrolled on m. 114.
- (2) This prise was taken for purposes of implementing the alliance with the King of the Romans, hence, probably, its inclusion in the Patent Rolls.

<u>Kind of Prise</u>	<u>Date</u>	<u>Ordinance or Commission</u>	<u>Counties from which taken.</u>
Corn	5 Nov. 1297.	Commission ap- pointing col- lectors is on the Patent Rolls, C.P.R. 1292-1301, p. 314.	Lincs. Yorks. Cambs. Hunts. Notts.
Corn, Fish, Flesh etc.	15 Apr. 1298.	Commission ap- pointing col- lectors is on the Patent Rolls, C.P.R. 1292-1301, p. 344 (1)	(2) Lancs. Yorks. Lincs. Corn. Devon, Glous. Som. Dors. Ire- land.
Corn	1 Mar. 1301	Writs of aid to sheriffs for ap- pointed collect- ors are on the Close Rolls, C.C.R. 1296-1302, p. 433 (3)	Essex, Norf. Suff. Cambs. Lincs. Notts. Derb. Yorks. Hunts.
Corn and other victual	18 Dec. 1301	Letters of cre- dence, requesting corn, are on the Close Rolls, C.C.R. 1296-1302, pp. 573- 4(4).	Hants. Surr. Suss. Glouc. Som. Dors. Kent. Essex, Herts.; also expected to give supplies, Lincs. Norf. Suff. Cambs. Hunts. Notts. Derb. Northumb. Yorks.

- (1) Taken just after the solution of the constitutional crisis.
- (2) Later writs, re. Lincs. are on K.R.M.R. no. 71, m.117d, 118d; L.T.R.M.R. no. 69, m.91.
- (3) For the first time, the term used in the orders to sheriffs is purvoiaunce, not prise.
- (4) The request for corn: see C.P.R. 1292-1301, p.609, 13 Oct. 1301 - two months earlier than the above - ordering the sheriffs of the northern and eastern counties to purvey specified quantities of corn of various kinds. It looks as if what could be ordered here had to be requested from the south and west, also Norfolk and Suffolk. It is possible that this prise, which seems to have been taken in two parts was in fact two separate prises.

<u>Kind of Prise</u>	<u>Date</u>	<u>Ordinance or Commission</u>	<u>Counties from which taken.</u>
Corn etc.	10 Dec. 1302	Mandate to sher- iffs on Patent Roll, 31 Ed.I. m.46 (Parl.Writs I, pp.404-5)(1)	Yorks.Herts.Norf. Suff.Cambs.Hunts. Lincs.Notts.Derb.
Corn etc.	1 Mar. 1306	Mandate to sher- iffs on Patent Roll, 34 Ed. I, m.34 (Parl.Writs I, p.)	Yorks.Herts.Norf. Suff.Cambs.Hunts. Lincs.Notts. Derb. Lancs.Staffs.Salop, Glouc.
(Victu- al	14 Jan. 1300	Mandate to sher- iffs on Close Rolls, C.C.R. 1296-1302, p. 382(2)	All counties.)

- (1) In this prise and the next the only specified quantities are those of corn of various kinds.
- (2) This is partly a prise, partly a request. The sheriffs were to 'induce and admonish' all merchants in their bailiwicks to bring victuals for sale to Carlisle at midsummer. The king promised full and prompt payment. The sheriff is to induce some of the merchants to mainpern themselves to have victuals taken to Carlisle in as great quantity as possible. The sheriff is also to collect oxen, swine, sheep, hens, chickens, eggs, cheese and other such victuals and have them taken to Carlisle in time for the king's arrival there. It is the collection of these products which constitutes the prise proper, and they probably formed part of every prise for the royal levies, though not often specifically mentioned. These orders went to all sheriffs.

The incidence of the prises given in the above table, as between the various counties, is best shown also in tabular form:

TABLE V

INCIDENCE OF WAR-TIME PRISES

<u>Number of Prises Taken</u>	<u>Counties Affected</u>
9	Lincs. Yorks.
7-8	Cambs. Hunts. Notts. (8); Derb. (7).
5-6	Glouc. Som. Dors. Norf. Suff. Herts. (6); Surr. Suss. Essex (5).
3-4	Wilts. Hants. Berks. Oxon. (4); Beds. Bucks Northants. Rutl. Warw. Leic. Kent. Northumb. (3).
1-2	Lancs. Corn. Devon (2); Staffs. Salop, Middx. Worcs. (1)

Fifteen counties were thus required to contribute to five or more of the ten prises taken during the decade 1296-1306; nineteen contributed to under five prises, of which only seven were called upon for under three; and Cheshire, Hereford, Cumberland and Westmorland, and the Palatinate of Durham, were not officially ~~upon~~ at all, though the Justice of Chester was/

was required to send supplies to Carlisle in 1300.⁽¹⁾

The unequal incidence of these prises is largely explained by reference to the estimated capacity of the various counties concerned to contribute. The example given below contains the quantities required for the prise of corn ordered on 29 November, 1296, and that for flesh ordered in May and June 1297.⁽²⁾

TABLE VI

1. QUANTITIES OF CORN REQUIRED

Norfolk)	4000 qrs. corn; 1000 qrs. barley;
Suffolk)	1500 qrs. oats.
Essex)	1500 qrs. corn; 500 qrs. barley;
Herts.)	1500 qrs. oats.
Middx.	500 qrs. corn; 200 qrs. oats.
Oxon.)	2500 qrs. corn; 500 qrs. barley;
Berks.)	300 qrs. oats; 200 qrs. beans and peas.
Kent	2500 qrs. corn; 1000 qrs. barley; 1500 qrs. oats.
Surrey/	

(1) C.C.R. 1296-1302, p. 382.

(2) Taking the period as a whole it may be said that while the quantities required varied from prise to prise, the proportions taken from the counties did not differ much. If a smaller number of counties were called upon, the quantities required from each tended to be higher. Thus in 1296, when corn was taken from 28 counties, Lincs. was only required to provide 1500 qrs. of corn and 1000 of oats (K.R.M.R. no. 70, m.114), while in 1297, when only 5 counties were involved, Lincs. had to find 3000 qrs. of corn and 3000 of oats (C.P.R. 1292-1301, p. 314).

Surrey) Sussex)	1000 qrs. corn; 2000 qrs. oats.
Hants.	2500 qrs. corn; 500 qrs. barley; 1000 qrs. oats.
Som.) Dors.)	4000 qrs. corn; 500 qrs. barley; 2000 qrs. oats; 500 qrs. beans and peas.
Glouc.	2500 qrs. corn; 1000 qrs. oats; 400 qrs. beans and peas.
Devon	500 qrs. corn; 2000 qrs. oats.
Corn.	500 qrs. corn; 2000 qrs. oats.
Wilts	2000 qrs. corn; 1000 qrs. oats; 600 qrs. beans(1)
Bucks.) Beds.)	1000 qrs. corn; 500 qrs. oats; 300 qrs. barley; 200 qrs. beans and peas.
Lincs.	1500 qrs. corn; 500 qrs. barley; 1000 qrs. oats; 500 qrs. beans and peas.
Northants.	1000 qrs. corn; 500 qrs. oats; 200 qrs. beans and peas.
Rutl.	200 qrs. corn; 100 qrs. oats.
Warw.) Leic.)	1000 qrs. corn; 500 qrs. oats; 100 qrs. beans and peas.
Notts) Derb.)	500 qrs. corn; 500 qrs. oats.
Yorks.	2000 qrs. corn; 2000 qrs. oats.
Northumb.	100 qrs. corn; 300 qrs. oats(2).

2./

(1) K.R.M.R. no. 70, m. 113.

(2) K.R.M.R. no. 70, m. 114.

 2. QUANTITIES OF FLESH REQUIRED.

Northants.	200 sides of bacon; 100 carcasses of beef.
Rutl.	100 of bacon; 50 of beef.
Warw.) Leic.)	200 or bacon; 100 of beef.
Notts.) Derb.)	200 of bacon; 100 of beef.
Yorks.	400 of bacon; 200 of beef.
Northumb.	200 of bacon; 100 of beef.
Cambs.) Hunts.)	200 of bacon; 100 of beef.
Oxon.) Berks.)	200 of bacon; 100 of beef.
Essex) Herts.)	200 of bacon; 100 of beef.
Kent	200 of bacon; 100 of beef
Surrey) Sussex)	200 of bacon; 100 of beef.
Lincs.	300 of bacon; 200 of beef.
Som.) Dors.)	200 of bacon; 50 of beef.
Wilts.	(1) 100 of bacon.

These prizes seem to have been taken not merely from counties where the majority of the hundreds were in the king's hands and where he possessed a controlling/

controlling interest, but also from counties where most of the land was in the hands of lay or ecclesiastical magnates - a necessary condition, if the very considerable supplies required were to be obtained. It is the case that the king held the bulk of the land in the six counties from which the largest numbers of prises were taken. This is to be expected, but it is by no means universally applicable: for example from Beds., where the king held ten of the eleven hundreds, and Bucks., where he was lord of the whole county, only three prises were taken during the period under review. Three were also taken from Northants., where the king held only three out of the twenty-one wapentakes. Similarly six prises were taken from Somerset, where the king held five out of thirty-eight hundreds; from Dorset, where he controlled ten and one-third out of thirty-three; from Suffolk, where he held only five and three-quarters out of twenty-three, and so on. At the bottom of the scale, only one prise was taken from Middlesex, admittedly a small county, but wholly in the king's hands.⁽¹⁾ There was doubtless a good, if unrevealed/

(1) These distributions are based on the evidence for 1274, given by Miss Cam, *The Hundred and the Hundred Rolls*, pp. 260-85, but the changes of 25 years cannot have altered the proportions so radically as to render the 1274 evidence wholly useless as a guide. It was not till after 1297 that Edward began to pursue his policy of breaking up the great earldoms, cf. Tout, *Edward I*, pp. 219-21.

unrevealed, reason for parts of the royal demesne playing so little part in the provisioning of the royal armies; nevertheless, the apparently indiscriminate imposition of prises, without much regard to ownership of land, suggests that in practice the needs of the armies gave rein to an overruling authority of the crown which cut across accepted relations of meum and tuum, as that the king must live of his own, and gave point - perhaps bitter point - to the baronial complaints of 1297.

This suggestion is strengthened by a consideration of quantities taken. Two examples will suffice. Beds. and Bucks. are together about the same size as Hampshire. The king was lord of the whole of Bucks and of all but the whole of Beds., but lord (1) only of about half of Hants., this half included the New Forest. Yet for the prise of corn of November 1296 (Table IV) Hants was expected to supply 1500 quarters more of corn than the administrative area of Beds. and Bucks; 200 quarters more of barley and 500 quarters more of oats. It is true that this is offset a little by beans and peas, which Hants was not expected to provide; but if the area of Hants is to be limited/

(1) 17 hundreds out of 38, in 1274.

limited by the exclusion of all lands not in the hands of the king, as well as the extensive New Forest, considerations of a possible superior fertility in Hants as against the two Midland counties are not enough to counterbalance the markedly greater quantities required from what would be a much smaller area.

The other example is not less significant. In the prise of flesh of 1297 (Table IV) Northants, a county less than half the size of Lincs., and one where the king controlled only three of the twenty-one wapentakes, is required to supply only 100 fewer sides of bacon and 100 fewer ~~cascases~~ of beef than Lincs., where the king controlled by far the greater part of the county. As before, the discrepancy is slightly offset, this time by the fen-lands of Lincs., but if the same proviso is added as for the first example, we have a small part of Northants required to supply only one-third less bacon and one-half less beef than the greater part of Lincs., and again considerations of possibly greater fertility do not account for the figures.

Thus it seems that these prises must have been taken from lands not in the king's hands as well as from the royal demesnes, and there is a certain amount of proof that this was the case. For example in connexion with the prise of corn ordered in May 1296, the mandate to the sheriffs contained these instructions:

'... sciatis/

' . . . sciatis quod assignauerimus . . . ad capiendum
 blada tam infra libertates quam extra . . . ' Similarly
 with the prise of wool in 1297; the merchants appointed
 to purvey it were to do so ' . . . des ercheveskes,
 evesques, abbes, priours, e touz autres clerks, e
 autres genz pusauntz du reaume . . . ' and indeed, if
 the clergy had been exempted it is difficult to see
 whence the quantities required could have come. So
 also for the prise of corn ordered in November 1296; it
 was to be taken ' . . . ausi bien des biens as clerks
 come des lais.; ' and the sheriffs' orders for making
 the prise of flesh in the next year are equally
 definite. They shall take the flesh ' . . . tam a
 personis ecclesiasticis quam aliis potentibus. . . ,'
 nor are those who are able to give to be spared the
 prise . For the prise of corn of October - December
 1301 - the phrase 'within liberties and without' is
 again used. And the fact that exemptions from
 certain/

(1) K.R.M.R. no. 69, m.80d.

(2) K.R.M.R. no. 70, m.108.

(3) Ibid., m.113

(4) K.R.M.R. no. 70, m.115.

(5) C.P.R. 1292-1302, p. 608.

certain prises were granted to some individuals in it-
 self gives additional weight to the above. ⁽¹⁾

It is clear that the great prises tabulated and discussed above are something not envisaged at all by the barons of 1258, still less by their forbears of 1215. These prises are well-organised, widely spread impositions to meet exceptional circumstances, so arranged that no designated area of the country shall escape. They do not differ in nature from the ancient prises, since all are prises ad opus regis, but they do differ in degree. While the ancient prises were constantly being taken, but were merely local in incidence, the great prises were at least semi-national and were ⁽²⁾ periodic in imposition.

The next important consideration concerns the department of state which had power to authorise a great/

(1) e.g. in 1295, as a return for the payment of the ecclesiastical half, certain of the clergy were exempted from having their corn taken. The list included the Dean and Chapter of Lincoln. In the case of the Abbot and Convent of Westminster, the protection extended to the Convent's men, lands and all possessions. It was granted, however, before the imposition of the great prises discussed above (K.R.M.R. no. 68, m.68d). Similarly, in Dec. 1296 and Jan. 1297, protection from prise was accorded to a number of persons on the king's service in Gascony (C.C.R. 1296-1302, pp. 7-8.)

(2) The first three were taken for Gascony; that of wool for the foreign alliances, the rest for the Scottish campaigns of 1298 and after. Prises of sheep (cf. A.R.505, nos. 29, 31-2, etc.) and linen cloth (cf. *ibid.*, nos. 398, 403, 405, etc.) were also taken, but not specified in any ordinances or commissions that I have found; and in 1298 the prise of corn included malt, in apparently unspecified quantities (cf. A.R.505, nos. 240-1, 317, 370-2, etc.).

great prise, and this involves a summary of the position at the time of the French war. The Exchequer, by the end of the twelfth century, had become detached from the rest of the king's household, to some extent independent of it, and was regarded by baronial interests as a financial department which in the main ought not to concern itself with functions other than financial - that is, with administrative or judicial functions. The Chancery, during the thirteenth century, was undergoing the same process of separation from the household, especially in the earlier years of Henry III's reign; and with separation went the possibility of baronial control. But the development of both departments along these lines was retarded under Edward I by his own development of the Wardrobe with its instrument of authority, the privy seal/

(1) cf. Tout, Chapters I, pp. 12-14, but his warning as to the fluidity of medieval institutions must always be kept in mind.

(2) cf. *ibid.*, I, pp. 15, 181, 284-6.

seal; and this was done in such a way as to control, under the royal aegis, both the Exchequer and the Chancery. As Tout shows, it was the wardrobe officials who became under Edward the chief ministers of the crown, dominant in the council, important in parliament, and answerable to the king: the wardrobe, in a word, (1) became the mainstay of the administrative system.

For this reason, the fact that of the ten great prizes discussed the first three are recorded on the Memoranda rolls (exchequer records) only, while the rest are on the Patent or Close rolls or both (chancery records), is less significant than it might otherwise have been. Nevertheless it is not without importance, since the Exchequer was even more subject to the Wardrobe than the Chancery, and to find the prizes entered on the chancery records after the 1297 crisis developed, where none were found there before it, is at least an indication that the meaning of the crisis was not lost (2) upon Edward.

It/

(1) cf. Tout, II, chap. vii, pp. 60-157.

(2) This point will become clearer as the administrative results of the crisis are discussed.

It is at this point that we are able to relate the great prises to their relevant issuing authority and to their place in the constitutional crisis of 1297. We have seen that the right of making prises was necessary to the king if he were to maintain a household fluctuating in size, never small, often very considerable, and in times of emergency swollen to enormous proportions by the inclusion of the royal armies.⁽¹⁾ But whereas a national levy such as a tax on movables required the formal consent of a parliament or great council before it could be made, the right of prise was personal to the king and did not require such consent, however large a prise was to be made. Nor was the need for parliamentary or conciliar consent suggested, either in Magna Carta or the abortive Provisions of Oxford.

What/

(1) Tout himself is the authority for this last statement, Chapters, II, pp. 133-4, where he brings out clearly the point that the royal army was regarded as the household in arms.

What department, then, controlled the machinery for collecting a prise once it had been authorised, and from what department was the authority issued? The answer may perhaps best be made by way of a further question. In theory, articles taken must be paid for: what official was responsible for making the payments? Prises were made for the sustenance of the household; logically, therefore, both the issuing and the paying authority should be the household officials who looked after the commissariat. In the time of Richard I the responsible official seems to have been the Chamberlain, who dealt with at least the sale of goods taken ad opus regis at the ports ⁽¹⁾ and it is a fair inference that he also authorised prises and payments for goods taken. He was in charge of the Chamber, which, as Tout shows, remained a domestic exchequer even after the exchequer proper had been separated from it. ⁽²⁾ But out of the chamber developed the wardrobe, which in the thirteenth century became an instrument ready to the king's hand for personal government as well as for resisting baronial encroachment/

(1) Pipe, 8 Ric. I, m. 12d.

(2) cf. Tout, Chapters I, p.18.

encroachment upon the perogative.⁽¹⁾ It rapidly eclipsed the chamber in importance, until under Edward I it became essential to his administration;⁽²⁾ controlling the exchequer as it did,⁽³⁾ it is to the wardrobe now, and not to the chamber, that we may look for the initiation of the great prises -- a function properly belonging to it.⁽⁴⁾

It was in general the financial strain of the wars with France and Scotland which drove Edward to rely more and more on the wardrobe as the central organ of administration, but this was possible because the wardrobe was not as yet controllable by the baronage; and the baronage was aware of it. The first warning came in 1297, when the rebellious Earls Marshal and Constable, speaking for a considerable section of their order, and backed with force, compelled the confirmation of the charters.

In their manifesto, which may or may not have been actually presented to Edward,⁽⁵⁾ the earls say that the country is gravely burdened with numerous tallages and numerous prises of corn, oats, sheep, wool, hides, oxen, cows, salted flesh, without any payment/

(1) Ibid, I. p.22

(2) Ibid., I, p. 163

(3) Tout brings this point out with great force, Chapters, II, p. 152.

(4) cf. Tout, Chapters, II, p.153.

(5) See Appendix I. Articles of Complaint.

payment being made for them; ⁽¹⁾ and the prizes they have in mind must pre-eminently have been the great prizes, though no doubt the smaller, continuous, ancient ones were also remembered. They do not refer directly to government through the wardrobe, but make a general, inclusive statement to the effect that both clergy and laity are greatly oppressed by this circumstance, that while they used to be governed according to the articles of the Great Charter, these are now continually trespassed; this causes much distress to the people and great peril to those who will not pay attention to it - i.e. the king - wherefore they pray the king to have the matter put to rights, ⁽²⁾ to his own honour and for the safety of his people. These articles, according to Cotton, were propounded to the king on 30 June 1297, at the meeting of the ⁽³⁾ military levy. A few days later Edward acquiesced to the extent of promising a confirmation of charters in return for a grant of one-eighth of movables from ⁽⁴⁾ the baronage.

The/

(1) There is no official version of this manifesto, but it is found in extenso in the chroniclers (see Appendix I), and there seems little room for doubt that it was circulated, though whether it reached the king or not is uncertain. Edward said he did not receive it, yet showed himself perfectly aware of its contents (Foed. I, p. 872; cf. B. Cott., pp. 330-4).

(2) B. Cott., pp. 330-4; Trivet, Annales, pp. 360-2. Trivet's version is slightly less specific, but its tenor is the same, see Appendix I.

(3) B. Cott., p. 325. (4) Stubbs, II, p. 136, cf. B. Cott., p. 327.

The confirmation of Magna Carta in the Autumn of 1297 merely administered palliatives; it did not cure the troubles complained of by the earls marshal and constable and noted above. The charter as confirmed in 1297 was the charter as re-issued after 1225, fortified by a series of supplementary articles. These, so far as prises were concerned, had to deal with an extension of them in directions and to a degree not contemplated by the authors of the original charter or those of its early re-issues, not covered in any way by the charter itself in any of its issues, but seriously alarming to the barons of 1297. By that year a special situation had arisen, demanding special remedies which the charter itself could not supply. Hence the necessity for supplementary articles, and it is these, rather than the charter proper, which are referred to when the words 'confirmation of charters' are used with regard to 1297. And if we compare merely those articles relating to prises with the corresponding ones in the charter, it becomes evident that the charter itself can now only be regarded as the bedrock of English liberties, not as chapter and verse of them or as the panacea for any and every encroachment upon them. It has already become necessary to begin building a super-structure/

structure capable of expansion with the times; and this is perhaps the underlying significance of the 'Confirmation of Charters' of 1297, as of its sequel, the 'Articuli super Cartas' of 1300.

21 The supplementary articles of 1297 relating to prises contain two very important statements, first, that prises and other aids as taken during the war and ~~en~~rolled, shall not be drawn into a precedent, as might happen because they had been⁽¹⁾ enrolled; and second, that no such aids, mises or prises shall in future be taken except by the common consent of the realm, saving the ancient aids and⁽²⁾ prises due and accustomed. There can be no doubt as to what prises the barons had in mind when they secured these concessions: the clear distinction drawn between ancient and other prises speaks for itself, and is driven home by the reference to⁽³⁾ enrolment/

(1) S.C. p. 491, Art. v. The wording is somewhat tortuous, but the meaning clear: '..qe les aides e les mises... peussent tourner en servage a eux e a leur heyrs, par coe qil ser-roient autrefoytz trovez en roulle, e ausint prises qe unt este faites par my le roiaume par nos ministres en nostre noun...'

(2) S.C. p. 491, Art. vi.

(3) Tout, discussing the uses to which the wardrobe was put under Edward I, and the attitude of the baronage to this, observes that it is not very important that complaints were made of the prises initiated by the wardrobe, since they were always going on (Chapters, II, p. 153). This is true so long as it refers only to the ancient prises due and accustomed, and from Tout's own standpoint, but it is clearly not the whole truth.

enrolment. The inference is that the ancient prises, by their legitimacy as an unquestioned part of the prerogative, did not need enrolment, and therefore that the enrolment of their extensions, the great prises, was in itself a matter for public alarm, as tending to make permanent an extension of the prerogative which was being endured only as a temporary necessity.

But the crux of the question appears in the second requirement that such prises - i.e. the great prises - shall henceforth not be taken save by common consent, by which is meant parliamentary, or at least conciliar, consent. When we consider that hitherto no distinction had been drawn by any party between the household in arms - the army - and the household not in arms - the normal household - and that it had not previously been suggested that any kind of prise should require the 'common consent of the realm' before it was made, ⁽¹⁾ the revolutionary nature of this demand becomes apparent. Now for the first time the baronage was making a definite constitutional issue of what had merely been an irritating use of the prerogative until Edward organised it on national/

(1) See above, pp ^{cxxxviii et seq.}, where the regulations of Magna Carta, the Provisions of Oxford and the Statute of Westminster I are discussed.

national lines. To make such a demand was indeed an attack on the prerogative: it was a bitter fruit of Edward's own administrative ability, and his acceptance of it, even in principle, was a measure of the weakness of his own position in 1297.

Yet it is to be noted that the fundamental view of the royal army as the household in arms is not altered by this demand. Prises of provisions to feed these armies are not prohibited in 1297: that is to say, the method of obtaining such provisions is not changed, but the prises are no longer to be made ⁽¹⁾ on royal initiative only. The demand, therefore, was revolutionary in that it sought to bring under parliamentary control a part of the prerogative hitherto untouched in this way because never before ⁽²⁾ used it; that is to say, it was revolutionary in the same measure that Edward's imposition of great prises was itself revolutionary.

Edward/

(1) It is of course true that by insisting on their consent being obtained before a great prise was made, the baronage were taking the first step along the road that ended with the Bill of Rights of 1689, which left the army royal in name but national in fact, since parliament retained financial control of it; but it is quite certain that no faintest glimmer of this was in their minds: they were merely concerned to end a somewhat tyrannical abuse of privilege.

(2) Though not wholly untouched, as witness Magna Carta and the Provisions of Oxford.

Edward seems in the main to have obeyed at least the letter of the requirement; for instance most of the commissions to collectors of great prizes made between July 1297 and 1306 are found on the Patent rolls, and where found, are without the indication 'by privy seal' - the wardrobe seal.⁽¹⁾ But there was still a loophole. Until the baronage had the wardrobe under its control, that control could not be re-asserted over the exchequer and chancery, and the king or his successors might find a way of reverting, under constitutional appearances, to that government through the wardrobe which the barons rightly felt lay at the root of present evils.

The Confirmation of Charters proved to be a beginning, not an end. The demands as to prizes might be acceded to, but both they and the charter itself left the larger question of government by the wardrobe virtually untouched. The times remained abnormal - the French war was followed by war with Scotland - Edward was no longer trusted, and it is not surprising to find that further measures were needed to deal with the situation. The baronage could not leave matters as they were in the end of 1297; if they did not take the next step and try to obtain control of the wardrobe itself, Edward or his successor would presently recover the/

(1) Table IV above, and references there given.

the ground that had been lost. The Articuli super Cartas of 1300, therefore, come as a natural sequel to the Confirmation of Charters.

In the Articuli the baronage made a direct attack on the wardrobe by an attempt to restrict the use of the privy seal, the instrument by which actions originating in it were authorised.⁽¹⁾ But the question of great prises had been settled by the Confirmation. In the Articuli it remained to re-state the baronial desiderata as to the conduct of the ordinary right of prise. In doing this, the barons of 1300 reveal how far short current practice had fallen as compared with the standards laid down by Edward himself in the Statute of Westminster I, only a quarter of a century earlier.

The right of prise in general is dealt with in the second article of the Articuli. It states that "forasmuch as there is great grievance in this realm and immeasurable damage because the king and the ministers of his household, whether alien or denizen, make their prises wherever they pass through the realm, and take the goods of the people, both clergy and laity without paying anything, or much less than/

(1) Art. s. Cart., art. vi: "Desutz le petit seal ne isse desoremes nul bref qe touche la commune lei." (Stats. Realm I, p.139).

(1)
 than the value of the goods: it is ordained that
 henceforth no one shall take prises through the realm
 except the king's takers and purveyors for the royal
 household. And these takers and purveyors shall take
 nothing except for the same household.

"And as for the prises which they shall make
 through the country for eating or drinking and other
 details necessary for the household, they shall make
 payment or agreement for them with those from whom the
 goods shall be taken. And that all such takers, pur-
 veyors or buyers of the king shall henceforth have
 their warrant with them, under the great or petty
 (privy) seal of the king, containing their authority
 and the things of which they shall make prises or
 purveyance, which warrant they shall show to those
 from whom they make the prise, before they take any-
 thing."

Here there is a distinct gain for the
 baronage. While Edward always issued commissions to
 the takers of great prises, and notdoubt also to
 those of the ancient prises, as most likely his an-
 cestors did before him, there are no instructions,
 either/

(1) Non-payment or insufficient payment is a perennial
 grievance, and seems to have applied to all
 prises of whatever kind. In 1301 Edward had
 to devote part of the fifteenth of movables
 granted at the parliament of Lincoln the previous
 year, to the payment of a great prise (C.C.R.
 1296-1302, pp. 573-4).

either in Magna Carta, the Provisions of Oxford, the Statute of Westminster I or the Confirmation of Charters, that warrants are to be shown as a matter of routine, before anything is taken. That this had not been so hitherto is shown by the necessity for a clause about it in the Articuli. One suspects that here the baronage took a leaf out of Edward's own book. The evidence of A.R. 505 indicates that the takers of great prizes were furnished with warrants which they showed at least to the sheriffs and bailiffs with whom they had to deal.⁽¹⁾ That production of warrants went any further, I am inclined to doubt. But now all takers are to produce their warrants on all occasions.

The Article continues: "And that these royal takers, purveyors or buyers shall not take more than shall be necessary and right for the king, his household and his children.⁽²⁾ And that they shall take nothing for those that are at wage, nor for any other, and that they shall answer fully, in the household and in/

(1) e.g. Nos. 240-1

(2) This is another perennial grievance, and one persistently recurring in A.R. 505 itself, wherein there are numerous complaints of seizures of goods ultra id quod ad commodum regis devenit.

in the wardrobe, for all their prises, without making elsewhere their payments or delivery of goods taken for the king. And if any taker of the king's household makes by his warrant prises or livery in other manner than aforesaid, the truth shall be sought, on complaint being made to the steward or the treasurer of the royal household. And if he be attainted, agreement shall then be made with the plaintiff, and the taker shall be expelled from the king's service for ever, and shall remain in prison at the king's pleasure. And if anyone makes prises without warrant and carries them away against the will of the owner of the goods, he shall at once be arrested by the vill where the prise was made, and put in the nearest gaol, and if he be found guilty he shall be treated as a felon, should the amount of the goods taken require it. As as to prises made at fairs, in good towns and ports by the great wardrobe of the king, the takers shall have their common warrant under the great seal.⁽¹⁾

"And as to what things they take, they shall make testification under the seal of the keeper of the/

(1) This is a clear gain to the baronage, for it strengthens and makes regular the similar but half formulated complaint of the barons of 1258. And the insistence upon the use of the great seal is significant, for by its use power was given to the chancery, which was again to itinerate with the court, to supervise the activities of the household and wardrobe, cf. Tout, Chapters, II, p. 154. That the complaint against prises made without warrant was no idle one is shown by the numerous statements in A.R. 505 that such-and-such was taken.

the wardrobe; and as to things so taken by them, their number, quantity and value, there shall be made an indenture (dividende) between the takers and keepers of fairs, the mayor or capital bailiffs of towns and ports by the view of the merchants from whom the goods shall be thus taken. And none of them shall be permitted to take more than is entered in the indenture. And this indenture shall be taken to the wardrobe under the seal of the keeper, mayor or capital bailiff aforesaid, and it shall remain there until the account of the keeper of the king's wardrobe is rendered. And if it shall be found that anyone has taken otherwise than he ought, he shall be punished upon his account by the keeper of the royal wardrobe according to his deserts. And if any make such prises without warrant and be found guilty thereof, it shall be done to him as to those who make prises for the king's household without warrant, as aforesaid.

"Nevertheless the king and his household do not intend by this statute in any way to decrease the king's right to the ancient prises due and accustomed, as to wines and other goods, but that it shall be fully saved to him in all points."⁽¹⁾

This very long article is a comprehensive re-assertion/

(1) Art. s. Cart., art.ii. My translation is based on that given in Stats. Realm, I. pp. 137-8.

re-assertion from the baronial standpoint, of Edward's own declaration in the Statute of Westminster I, together with such additions as events subsequent to that statute had shown were expedient.

Of these, the most important were the insistence upon production of warrants and the clause relating to the use of the great seal. But the Articuli represent rather the ideal than the immediately practicable, and neither they nor the Confirmation of Charters were enforced. Nevertheless they constituted, together, the first formal complaint against government by the wardrobe, and the first attempt to control it from without.

To sum up: the exercise of the right of prise seems originally, as we have seen, to have been delegated to the chamberlain, but became a function of the wardrobe as this superseded the chamber in administrative importance. The extension of the right of prise seems to run parallel to the extension of the power of the wardrobe as an administrative department. During this time the wardrobe, and with it the use of the right of prise, came to assume a constitutional importance which reached its peak at the end of the thirteenth century - at least for our period. By 1297 baronial interests felt themselves seriously threatened by this process of government/

government through the wardrobe, a process which Edward I himself developed and perfected. And there seems little doubt that the incidence of the great prises, which had their echo in war-time Lincolnshire as elsewhere, played no small part in bringing the baronage to a realisation of what was happening. Had this not been so, one would hardly have expected quite so much attention to the subject as was given to it by the baronage itself in the Confirmation of Charters and the Articuli. During the last decade of the century the administration, the servant of the constitution, was showing unmistakeable signs of becoming its master under the hand of a brilliant and forceful ruler; therefore external control of the administration, including that part of it relating to the right of prise, was necessary if constitution and administration were again to become complementary facets of good government. Hence the intensification, in the last years of the old king's reign, of the long struggle to secure that ideal.

This study of the royal right of prise in the thirteenth century was embarked upon because there seemed to be no very satisfactory information on the subject for this period, and because there is in A.R. 505 an appreciable body of complaint against the exercise//

exercise of the right. I have not been able here to do more than touch the fringe of a subject which is larger than appears at first sight. For want of time I have had to rely primarily upon the great constitutional documents of the century, and except for the war period at the end of it have not examined the day-to-day administrative records. Unless this is done, the constitutional records by themselves may mislead through failure to understand the problem as a whole; if it were done, some modification of what I have said might well be found necessary. But to do it, a close search would have to be made in the Pipe, Patent and Close rolls as far back as they exist, of the Memoranda rolls from their beginning in the second year of Henry III's reign, of Wardrobe and Household accounts and any other documents which might have a bearing on the question. This is a formidable undertaking, but one which might be both useful and profitable.

But at least the present cursory study has shown that the exercise of this part of the royal prerogative in the thirteenth century provides a link between constitutional requirements and administrative action, and this is especially true of the period when the right was extended to impose the great prises by royal initiative alone, without consent of parliament. It has shown, too, that the question is one of greater importance for this century than has perhaps been allowed it.

JURY SERVICE.

Apart from specific and more or less isolated complaints which are discussed in the text of A.R. 505; apart from numerous instances of extortion and other unjust levying of money or goods, for which no particular reason is given ⁽¹⁾ and which were sometimes accompanied by forced imprisonment; ⁽²⁾ and apart from cases where money is extracted from plaintiffs 'ne grauaret' ⁽³⁾ or 'ut in pace vinere permitteret' - extracted, that is to say, ostensibly to free men from unwelcome demands in respect of taxes, prises and particularly jury-service, but really to increase official emoluments - there remains one other important group of complaints which must be briefly touched upon: the practice of wrongful empanelling for service on juries, assizes and recognitions.

This in itself was by no means a special war-time burden: it was rather a chronic evil in the body politic which imposed much unnecessary hardship. It/

(1) No. 336 is a good example.

(2) e.g. no. 325.

(3) e.g. no. 343.

(4) Miss Cam, The Hundred and the Hundred Rolls, pp. 158-9.

It was sufficiently serious to require a separate chapter in the Statute of Westminster II of 1285, nine years before the French war broke out; (1285), and Miss Cam, in her study of the Hundred Rolls of 1274-5, has shown how urgently legislation was needed to define the position of jurors.⁽¹⁾ Chapter 38 of the Statute lays it down that "because also sheriffs, hundredors and bailiffs of liberties have been accustomed to burden those under their jurisdiction by putting upon assises and juries men sick and decrepit, ill with chronic or temporary infirmity, men, also, not living in the locality at the time of their summons; also by summoning an unreasonable number of jurors, so as to extort money from some of them to let them go in peace, and thus assises and juries are too often made up by poor men, the rich by their bribing remaining at home: It is ordained that from henceforth no more than twenty-four shall be summoned for one assise; old men, moreover, above seventy years, chronically ill or infirm at the time of summons, or not living in the locality, shall not be put upon juries or petty assises; nor, also, shall anyone be put upon assises or juries, even though they ought to be taken in their own shire, who/

(1) Miss Cam, The Hundred and the Hundred Rolls, pp. 158-9.

who has a holding of less value than 20/- per annum; and if such assises and juries ought to be taken outside the shire no one shall be put upon them who has a holding of less than 40/- per annum, with the exception of those who are witnesses to charters or other writings, whose presence is necessary, so long as they are able to make the effort: nor is this statute to extend to grand assises, upon which it is sometimes necessary to put knights not resident in the locality, although they have tenure in the shire, on account of the scarcity of knights. And if the sheriff or his sub-bailiffs or bailiffs of liberties contravene this statute in any article, and are convicted of it, they shall make good the damages of the injured parties, and shall nevertheless be in the king's mercy; and the justices appointed to take assises shall, when they come into the county, have power to hear the grievances of every plaintiff, as touching the articles contained in this statute, and to/

(1) This provision was amended in 1293, when the 40/- qualification for serving on juries outside the county was raised to 100/, and within the county the 20/- qualification was raised to 40/-, except before justices itinerant; so that the A.R. 505 jurors, since they appeared before justices itinerant, were empanelled under the 1285 regulations.

(1)
to do justice in form aforesaid."

This chapter of the Statute defines the legal position of jurors admirably, but in thirteenth-century England it was very much more difficult to enforce laws than to promulgate them; and there is evidence in A.R. 505 that the regulations are being evaded in various ways. Thus William of Gelston laid
(2)
a complaint against John of Pateshull, bailiff of Loveden, to the effect that John maliciously put him on a jury before the barons of the Exchequer and the justices of the Bench, after a true bill had been found that William did not possess 40/- worth of land or rents and therefore should not have been put on a jury outside the county. Moreover, William received no summons from John to serve on this jury; John denying the whole story, did not put himself upon the country - that is, upon the jury's verdict - but upon William's own oath. Perhaps he hoped that when pressed/

(1) Statute of Westminster II, 1285, cap. 38. (Stats. of Realm, I, pp. 89-90. The translation is mine.

(2) No. 20.

pressed, William would not be prepared to go on oath, in which case he would be amerced for a false claim and John himself would be exonerated. But William did give his oath, stuck to his story and won his case. He himself was, on his own showing, a man of small means; a free man, (else he would not have been liable for jury service)⁽¹⁾ and a man who was chosen to assess the taxors and collectors of the ninth (1297)⁽²⁾ in Loveden wapentake for their own share in this tax.

This is a flagrant contravention of the Statute of Westminster II, but there was another, perhaps less obvious, infringement of it, summed up in the thirteen cases where bailiffs levied money not to put individuals on assizes, juries and recognitions.⁽³⁾ In some of these extortion is alleged,⁽⁴⁾ in others the levy is merely stated to be unjust.⁽⁵⁾ But whether the official delinquency is termed extortion or unjust levy, the clear implication is that it is the poorer free/

(1) cf. Pollock & Maitland, *His. of Eng. Law*, II, p. 619.

(2) P.R.O. Subs. Roll (Lay), 135/3, e5 Ed. I. (Michaelmas, 1297), m.4.

(3) Nos. 311, 329, 331, 384, 386-7, 391-3, 406, 421, 443.

(4) e.g. nos. 329, 331, 384, 387.

(5) e.g. Nos. 311, 386, 391, 392, 393, 406, 421, 443.

free tenants who are affected: it would be to their interest to expose the official if opportunity for redress presented itself, as in 1298; but, in cases of mere bribery it would be to the interest both of the individual who bribed and the royal official who received the bribe to maintain silence. In these cases of extortion and unjust levy, and no doubt in many of those where money was taken to permit the giver to live in peace - if we could correctly see behind the inadequate entries in A.R. 505 - may perhaps be found an illustration of the clause in the Statute of Westminster II which states that "thus assizes and juries are too often made up by poor men."

On the other hand there are two cases, both concerning a certain Richard the Baker of Ponton, where two bailiffs are found to have put him on assises, juries and recognitions outside the county, when Richard had royal letters of protection against this kind of jury service; and ^{they} had done this, moreover, many times. ⁽¹⁾ These cases do not imply any infringement of the Statute of Westminster II, nor any disqualification on grounds of insufficient property from/

(1) Nos. 363, 377.

from extra-county service, but they do illustrate a practice which was not without its disadvantages in equity. Exemption from jury service, in the shape of royal letters, could be bought, with consequent profit to the crown, but with a proportionately heavier burden upon the less prosperous, if the practice went far enough. Maitland has shown that in the middle of the thirteenth century it went very far in regard to
(1)
grand juries of knights, and A.R. 505 now reveals a case of the same thing in regard to petty juries. Were it not that the bailiffs ignored Richard's protection, this case would not have appeared in this roll; but although there is no evidence as to how far the practice extended in Lincolnshire, it is suggestive to find it in existence, and there is a possibility that if at all widespread, it might have provided a plausible excuse for official oppression of the less fortunate.

One other point requires discussion in regard to jury service in general. An ordinary jury, like those mentioned in A.R. 505, as distinct from a grand jury of knights, must consist of free and lawful men/

(1) Pollock & Maitland, II, p. 629.

(1)

men who must be disinterested parties. That this principle was not always adhered to is revealed by three entries in A.R. 505. In the first of these it is shown that a bailiff is in mercy because he put 'suspected men' on a jury panel, against his warrant (no. 131). That such a practice was neither unexpected nor unusual is strongly suggested by the other two entries, where in one case a bailiff was ordered to produce twenty-four free and lawful men who should not have intermeddled with prises, but puts suspects on the panel (no. 132); and in the other a different bailiff was given a similar order with the same proviso (no. 150). In these cases, therefore we are shown something of what is meant by the term 'lawful'. We are shown also the principle of choosing a jury: in no. 132 the bailiff of the South Riding, in no. 150 a bailiff errant, is ordered to have twenty-four free and lawful men at a given place on a given day. When the twenty-four have assembled, three knights are to choose twelve of them, who shall then constitute the jury (no. 150). This is the process for choosing a jury of presentment, though normally the number of knights seems to have been two or/

(1) cf. Pollock & Maitland, II, p. 619.

(1)

or four, rather than three; thus we may visualise every jury of which it is said in A.R. 505 that 'iuratores presentant' as a jury of presentment chosen in this manner. But these juries who present are not the juries whose names are listed at the end of A.R. 505.

(2)

The lists are those of juries of verdict, and it is upon what they say that the parties to a suit put themselves when it is told of either or both that 'ponit se super patriam de bono et de malo,' the latter part of the phrase being usually contracted into the 'etc.' of the A.R. 505 entries.

(3)

THE ROYAL OFFICIALS OF A.R. 505.

Before passing to the general question of remedies it is necessary to discuss a few points to do with the royal officials, who figure most prominently of all in A.R. 505 - as they are bound to do, since the commission of the justices directed them to enquire/

(1) cf. Pollock & Maitland, p. 642.

(2) cf. no. 467, where at the head of the list of Elloe jurors it is said 'non dum reddiderunt.' What they have not given is their verdict, 'verdictum suum', cf. no. 251.

(3) The whole question of juries of verdict and presentment is fully discussed in Pollock & Maitland, II, pp. 614-30 and 639-52.

enquire into the general conduct of royal officials during the war period. The discussion, except in relation to bailiffs, need be only very brief, for much of the ground has already been covered by historians. ⁽¹⁾

Apart from the sheriffs, sub-sheriffs, coroners, sheriffs' clerks, bailiffs and tax collectors, whose several ranks are clearly enough indicated in A.R. 505, if not, always, the areas they administered and especially the dates between which they held office, there is a number of persons whose names are given as defendants, who were clearly royal officials, but for whom no specific office is indicated. Some - a very few - have been shown to be collectors of prise, but of the rest little can be said. Such men as Robert Parleben (112), John Heryhyel (113), Nicholas of Saham (115), Reginald Hound (116), Richard of Dalby (117), John of Saunton (118), Geoffrey of Funtaynes (119) and many others, are and must remain enigmas. Some may have been bailiffs' clerks, but most were probably bedells or other subordinates of the bailiffs. ⁽²⁾ Beyond this, nothing can be said about them, for want of evidence. Two such men are particularly tantalising - Walter Deavdambr and Philip of/

(1) cf. especially Morris, W.A., *The Medieval Sheriff*; Miss Cam, *Studies in the Hundred Rolls*, and *The Hundred and the Hundred Rolls*; and for seignorial officials, Denholm-Young, *Seignorial Administration in England*.

(2) cf. Miss Cam, *Studies in the Hundred Rolls*, p. 151.

(1)
 of Aðnsby. On the six occasions when Walter's name
 (2)
 appears, he is always found either acting as if he
 were a bailiff, or mainperning other bailiffs, yet he
 is never called a bailiff or indeed given any rank at
 all. And Philip of Aðnsby, though found acting with
 Walter (no. 229) is also given no rank. If he was a
 royal official at all, his office can have been part
 time only, for he is able to cultivate his land like
 the private individuals he may, after all, have been.

The names of all the more important royal
 officials who figure in A.R. 505, together with those
 of some who do not, are given in the list of officials
 which constitute Appendix II, and are an eloquent
 witness to the number of such officials which was
 considered necessary to administer a county at the
 close of the thirteenth century - they are the more
 eloquent, indeed, in that most of them are incomplete.

SHERIFFS AND SUBSHERIFF

Four sheriffs are mentioned in A.R. 505,
 of whom three held office during the war with France,
 but/

(1) cf. especially no. 229.

(2) Nos. 69, 71, 229, 394, 403, 440.

but in the Roll occur the names of several other persons who afterwards became sheriffs. Only one of these, however - Richard of Howell - is included in the list.

The functions of the sheriff are too well
(1)
known to require mention here, save in two respects: it is to be emphasised that, broadly speaking, he was held responsible for all those subordinate officials whom he himself appointed or caused to be appointed - that is to say, his capital bailiff, bailiffs of wapentakes, bailiffs errant and his own clerks - and that it was his business to give assistance when required to other officials appointed or caused to be appointed by the central authority, including customs
(2)
officials, royal clerks sent down to supervise the collection of taxes and prises, and other clerks specially appointed.

In addition to the sheriff, there was also his deputy, the sub-sheriff, whose place and power in the administration of the shire were what his title
(3)
implies. Only one sub-sheriff is mentioned in A.R. 505.

CORONERS/

(1) See Morris, *The Medieval Sheriff*, and Miss Cam, *The Hundred and the Hundred Rolls*, in particular.

(2) See the list of these, p. *Appendix II*.

(3) cf. Miss Cam, *Studies*, p. 148.

CORONERS

The office of coroner is known from 1194 downwards; there were normally four coroners to a county, knights, and elected in the county court.⁽¹⁾

The office was instituted to act as a check on the powers of the sheriff,⁽²⁾ but it was to the sheriff that writs were addressed by the central authority ordering the machinery to be set in motion for choosing a coroner.⁽³⁾

The notes appended to the list of Lincolnshire coroners (Appendix II) suggests that the central authority was frequently misinformed or ignorant of the qualifications of the men elected, since too often elections had to be countermanded and new coroners chosen.⁽⁴⁾

It is to be noted, however, that this criticism does not extend to orders for the election of new coroners because of death, since a coroner was appointed for life, that is to say, until he was too infirm to continue his work.⁽⁵⁾

Among/

(1) Stubbs, i, 505; P. and M. i. 519.

(2) Stubbs, loc. cit.

(3) cf. C.C.R. 1288-96, p. 161 and many similar entries.

(4) The Close Rolls contain many examples, and see Miss Cam, p. 128.

(5) cf. Miss Cam, loc. cit.

Among the more spectacular of his functions, which had to do with questions involving royal rights in the shire, were ⁽¹⁾ the investigation of cases of sudden death, homicide, ⁽²⁾ and the interview of criminals who had taken sanctuary. ⁽³⁾ It is with sudden death by drowning that the coroner mentioned in A.R. 505 (143) has to do.

SHERIFFS' CLERKS

It is difficult to be precise as to exactly what is meant by the term sheriff's clerk as applied to A.R. 505 personalities. If the three sheriff's clerks so mentioned are in fact the 'clerks and receivers' of their respective chiefs, they are important officials; and it should be noted that a sheriff does not appear to have had more than one such clerk at any one time, ⁽⁴⁾ though no doubt he also had a relatively unimportant secretarial staff of lesser clerks. It is thus perhaps safest to assume that those who appear by name in A.R. 505 were 'clerks and receivers' to their masters. In regard to William of/

(1) cf. Miss Cam, loc. cit.

(2) Pollock & Maitland, ii, 641.

(3) Ibid., 588

(4) cf. Miss Cam, op. cit., p. 134.

of Flintham, entry 379 reveals this clearly. William, moreover, if details taken from various sources refer to the same person, had an interesting career. Flint-ham is in Notts., and William first appears as royal bailiff of Bassetlaw in that county. ⁽¹⁾ Later he seems to have migrated to Lincs., in the middle nineties, as A.R. 505 shows, he was clerk to the sheriff of Lincs., in 1301 he is stated to be of Butterwick (Man-⁽²⁾ley), near the Notts border, and on July 8 of the same year he deforced Thomas Kede and another of one messuage, 7½ acres of land and 10d. and 8d rents with appurtenances in Butterwick, making, for this tres-⁽³⁾pass, a fine of 20 marks silver. It is thus clear that his tenure of office as sheriff's clerk was not without profit to himself.

On the other hand, another sheriff's clerk, Walron le Lou, is a much more shadowy figure. He is mere called 'clericus vicecomitis' (366), but as the clerks/

(1) A.R. 1293, m.16

(2) A.R. 1320, m.28d.

(3) Feet of Fines, 28-9 Ed. I, no. 37.

clerks attached to Robert le Venour and Richard of Draycote, sheriffs, are mentioned with direct reference to their chiefs, it is likely that Walron le Lou was clerk to Ralph Paynel, sheriff in 1297-8.

A second clerk is given for Robert le Venour and also for Ralph Paynel; it would seem, then, either that one of the two clerks in each case was an official other than the important 'clerk and receiver,' or that for some reason unspecified, one succeeded the other during his chief's tenure of office as sheriff. This problem, however, lacks solution for want of explanatory evidence.

BAILIFFS.

Apart from the abnormal and quite excessive additions to the ranks of royal shire officials which accompanied the levy of a tax on movables - still regarded as an exceptional occurrence - the most numerous class of such officials was that conveniently grouped under the generic name of bailiff. As Denholm-⁽¹⁾Young has pointed out, any official who had charge over someone else's property was strictly speaking a bailiff: thus a royal sheriff, whose 'bailiwick' consisted of lands and other things belonging to the king/

Denholm-Young, op. cit., p. 32.

king, could be envisaged as the chief bailiff of the shire, which indeed he was.

But the term bailiff is used in a narrower sense in A.R. 505. It applies only to the sheriff's territorial subordinates, the men to whom the day-to-day administration of the ridings and wapentakes was committed, and also to a certain type of officer who had usually no specific territorial unit to look after but who could be sent anywhere in the shire on the sheriff's business: the balliuis itinerans or errans, the bailiff errant.

One of the two bailiffs errant mentioned in A.R. 505 was commissioned to instruct three knights to choose a jury of twelve (150); the other was sent by the sheriff to fetch another official to court (380), and incidentally used the abnormal circumstances of the times to line his own pockets (350, 351). The information given by A.R. 505 is admittedly slight, but Miss Cam has shown, in her study of the Hundred Rolls, that other normal activities of bailiffs errant included delivery of writs to seignorial officials, execution of writs in royal jurisdictions, levying distresses (cf. A.R. 505, no. 351), and so forth⁽¹⁾. Some of this work ran parallel to/

(1) cf. Miss Cam, *The Hundred and the Hundred Rolls*, pp. 75, 135-6.

to that of the ordinary wapentake bailiff who had a fixed administrative area; but the convenience to the sheriff of having one or two otherwise unattached bailiffs, who could be sent anywhere in the county without dislocating the normal work of the wapentake officials, is obvious.

In considering bailiffs of ridings, wapentakes and other districts, as distinct from bailiffs errant, some preliminary discussion is necessary. In Lincolnshire the unit of administration was the wapentake, but as is well known, the wapentakes were grouped together in 'Parts' - the Parts of Lindsey, the Parts of Kesteven, the Parts of Holland. The Parts of Lindsey, covering an area rather greater in extent than Holland and Kesteven together, were further divided into three Ridings - West, North and South. The Parts of Holland and Kesteven and the three Ridings of Lindsey were themselves administrative areas: as the sheriff's administration covered the whole county, and the wapentake bailiff's his own wapentake (sometimes a pair of adjacent ones), so, therefore, we should expect to find some intermediate official looking after the intermediate area - the Part or Riding. This is, in fact, what we do find. The official in question is the capital bailiff, so that we may look in A.R. 505 for references to 'A.B., capitalis'

capitalis balliuus de Kesteven,' or to 'C.D., capitalis Balliuus de Northreding' and so forth. But it is to be noted that the scribes who wrote A.R. 505 were not quite consistent in their use of the title. It is never applied to men who were not capital bailiffs, but it is sometimes omitted in entries relating to persons who, from the nature of the evidence, seem clearly to have been capital bailiffs though not described as such. It can be said of the capital bailiff that his administrative area was localised but relatively large, and that a part of his work would be the supervision of the lesser bailiffs in the wapentakes.

There is much apparent confusion in A.R. 505 in the use of the terms bailiff and sub-bailiff. The same person may be variously alluded to as bailiff, let us say, of Gartree; S's sub-bailiff in Gartree, or merely sub-bailiff of Gartree. To arrive, as nearly as possible, at what the scribes really meant, has involved a good deal of careful scrutiny and collation, but this has resulted in the adoption of a formula which seems to hold good for all the cases where the evidence is not fragmentary. It is this: if B is called bailiff of Gartree and also A's sub-bailiff in Gartree, there is no real inconsistency. Both statements are true, for A is the capital bailiff. If/

If, moreover, C exists and is never called anything but sub-bailiff of Gartree, then C is in fact sub-bailiff to B, standing to him in exactly the same relation as that in which B himself stands to A. The criterion, therefore, as to whether a man belongs to the lower rank of which C is the example, or to the intermediate rank of which B is the example, is whether he is ever called bailiff. If so, then I have assumed that he may be a wapentake bailiff, standing midway between A and C; if not, that he is a sub-bailiff of the lower rank only. It is clear, from the lax use of terms by the scribes, that to the mind of the day these exact divisions of rank were relatively unimportant - perhaps because so well appreciated - but if the latter-day investigator is to build up as true a picture as he may of the way in which the shire of Lincoln was run six and a half centuries ago, he must pay attention to such matters.

Clerical practice in regard to what for convenience I shall term time-qualifications is important. The scribes may allude to a man merely as balliuis; they may, on the other hand, describe him as nuper balliuis, quondam balliuis or more rarely tunc balliuis. These words are often loosely used: the same man may be called quondam in one entry and nuper in another. Nevertheless/

Nevertheless the terms are not synonymous: quondam is a vague 'sometime,' but nuper is a less vague 'lately.' While this difference must not always be pressed right home, we may assume that it was present in the minds of the scribes, in spite of careless usage. Thus quondam, from its meaning, would refer to a point more remote in time than nuper, the difficulty being to decide with accuracy what is the dividing line between them. I have taken nuper to refer, from the standpoint of a scribe writing in the autumn of 1298 (when Richard of Draycote was sheriff), to the term of office of Richard's predecessor, Ralph Paynel (Apr. 1297-Apr. 1298); and quondam to refer to the term of office of the previous sheriff, Robert le Venour (Oct. 1293-Apr. 1297). If no time-qualification is appended to a bailiff's name, I have assumed that he held office under Richard of Draycote himself (Apr. 1298-1299).

When we consider the conditions governing the appointment of bailiffs, there emerges some justification for this interpretation of time-qualifications.
 (1)
 Miss Cam suggests, with much reason, that their appointment/

(1) Miss Cam, op.cit., pp. 93, 133, 143; cf. also Select Pleas of the Crown (S.S.), p. 110.

appointment lay in the hands of the sheriff for the
time being, though there were exceptions. The Articles
of the Eyre (art. 43) contain a query as to hundreds,
ridings, wapentakes and other bailiwicks of the king
set to farm by the sheriffs or bailiffs; the New
Articles of the Eyre order an enquiry to be made into
cases where the sheriffs have given hundreds, wapen-
takes and ridings at high rents to extortionate
bailiffs; and among the items to which a sheriff had
to swear on his appointment to office are these: he
shall not take any bailiff into his service for whom
he will not answer . . . he shall appoint his bailiffs
of the most lawful men of the county . . . and . . .
he shall retain in his service no bailiff or officer
who has been with other sheriffs. The document from
which this is taken belongs to the year 1311, though
a similar one is found for 1306, and it may set forth
what had been the ideal, if not the practice, for a
long time previously. It must be noted, however, that
the/

(1) Miss Cam, op. cit., p. 145

(2) Stats. Realm I, p. 233.

(3) Ibid., p. 235.

(4) Ibid., p. 247, Oath of a Sheriff, from Close Roll
5 Ed. II, m. 23d. cf. Pollock and Maitland, Hist.
Eng. Law I, p. 544; Maitland remarks that the
sheriff usually let the royal hundred at farm to
bailiffs, who paid their rent for it to him and
then made good their expenses from fines and am-
ercements in the hundred court.

(5) Stats. Realm, I, p. 247, citing Stat. Roll, 34 Ed.
I, m. 34.

the last requirement, in particular, was often ignored,⁽¹⁾ and in the list of bailiffs which follows there are several proved cases of the same man being retained as bailiff of a particular area under several successive sheriffs; and many instances where I suspect this to have been the case though I cannot prove it, so that the provision of the sheriff's oath in question may have been a new one inserted to cope with a situation which had become chronic.⁽²⁾

These pieces of evidence, taken together, show fairly clearly that the normal legal process was for the sheriff to appoint the bailiffs, and perhaps for the entire staff of these to be changed when the sheriff was changed, but that in practice the second of these rules was frequently infringed. The nupers and quondams of A.R. 505 may thus be invested with considerable significance.

The point is well brought out by reference to a complaint in A.R. 505 as to irregularity in the appointment of a bailiff (nos. 18, 152). The accusation seems to be made by the justices ex officio. Henry of Newton, bailiff of the North Riding of Lindsey was, it is stated, dismissed office for life by John/

(1) cf. Miss Cam, op. cit. pp. 149-50.

(2) Morris, speaking of the sheriff's oath, says there was an ordinary form of it which does not appear in the records but which could be administered outside the Exchequer (Med. Sheriff, p. 176). But he does not say by whom, nor does he anywhere give the terms of the oath, except in a general way, those of the special oath devised in 1258 and afterwards dropped; and this form does not seem to contain any clause prohibiting the retention by one sheriff of his predecessor's bailiffs.

John de Insula, justice, for committing a forgery and trespass. Henry admits this, but as he comes to court in the capacity of bailiff he is questioned about it. He avers that Ralph Paynel, lately sheriff, appointed him bailiff of the North Riding, but ^{he} cannot produce any warrant showing that the crown has re-admitted him to office. For this reason he is again dismissed for life and committed to gaol. In lieu of imprisonment he paid a fine of 40/- to the exchequer.

This does not conclude the case: at a later stage in the enquiry Ralph Paynel, the sheriff, is accused of re-admitting Henry as bailiff without warrant (no. 152). Ralph says that Henry was never dismissed office by John de Insula and calls for John's rolls of pleas to prove it. Ralph is given a day for the case to be continued, but at this point the record of A.R. 505 stops.

The chronology of the case is important. The visit of John de Insula to Lincolnshire took place in 1296, when he was sent on circuit to hear complaints against the conduct of royal officials
(1) there. Ralph Paynel, "lately sheriff," made his first profer/

(1) "De rotulis liberatis ad scaccarium per Iohannem de Insula: Mem. quod 8 die Iuli hoc anno (1297), J. de Insula, nuper baro hic in scaccario, uenit hic.. .. et liberauit 12 rotulos de placitis querelarum coram eo factuarum super ministris regis in comitatu Linc.' de anno 24 (1296). . ." (L.T.R.M.R. no. 68, m.47). Would that these twelve rolls or even some of them still existed: they would provide a mine of information closely relevant to the personnel, if not to the matter, of A.R. 505. But I can find no trace of any of them at the Public Record Office.

profer at the Exchequer as sheriff at Easter, 1297,⁽¹⁾
 and had been succeeded in office by Easter, 1298.⁽²⁾

Thus Henry of Newton's re-appointment took place some time between Easter of the one year and Easter of the next.

It is impossible, on the evidence of A.R.505, to give any reason why Ralph reinstated Henry, who admitted reinstatement by Ralph, and ^{who} would hardly have done so if Ralph's version of the situation had been true: that this was the view of the court is shown by the sentence passed, unless for some reason which does not transpire it was to the interest of the justices to shield the sheriff. This cannot be more than surmise, for the absence of any further reference to the case after entry 152 does not necessarily imply that it was quashed. What does seem likely is⁽³⁾ that in the court's view there was illegal collusion to reinstate Henry in the probably lucrative position of/

(1) K.R.M.R. no. 70, m.60; L.T.R.M.R. no. 68, m.5

(2) Ibid., no. 71, m. 69; L.T.R.M.R., no. 69, m.11.

(3) Collusion between officials was not unknown; cf. Miss Cam, *The Hundred and the Hundred Rolls*, p. 157, for an instance akin to, but not parallel with, the present one.

(1)
of bailiff of the North Riding.

Henry's own character is not free from reproach. In 1294 he was amerced at 20/- for what may only have been a piece of administrative slackness -
(2)
"quia non habet summonicionem assise etc" - but in the memoranda rolls for 1297 we are given a glimpse of what happened in 1296, when John de Insula punished him. Then, as in 1298, he did not actually go to gaol but made a fine with the Exchequer for £13, "pro pluribus transgressionibus." Even for a bailiff of a whole riding thirteen pounds was a stiff fine, and the barons of the Exchequer allowed him to pay it in three
(3)
instalments of £4.6.8. each.

The real point of the case, however, is that it illustrates an administrative principle. If a royal official has been dismissed office, he may not be reinstated without a royal warrant, and rightly so, else royal authority will be undermined. Even a mere sub-bailiff became a royal official from the moment of his/

(1) For the perquisites of bailiffs, legitimate and illicit, cf. Miss Cam, op. cit., pp. 150-3, 155, 158-9 and many other entries.

(2) P.R.O. Fines and Amercements, 119, no. 27, 22 Ed. I. m.4. Here Henry is called Henry de Newenton, balliuis de Northrehing, but the identity is unmistakable.

(3) K.R.M.R. no. 70, m. 72d; L.T.R.M.R. no. 68, m.34d.

(1)
 his appointment by a royal sheriff. The crown might never even know his name unless he were brought to book before a royal justice for some offence. If this happened, the crown became officially interested in him inasmuch as its own reputation was now at stake, and any reinstatement sub rosa after royal dismissal, as in this case, became at once a double (2)
 insubordination against royal authority.

ROYAL CONSTABLES.

(3)
 Miss Cam has shown that in the reign of Edward I there was normally a high constable in each hundred, and under him one or more lesser constables in each vill. To this organisation must be added/

(1) cf. Miss Cam, op. cit., pp. 145-50, esp. p. 148.

(2) A list of municipal bailiffs is also given in Appendix II, but as these officials do not appear in their official capacity in A.R. 505 I have not discussed them above.

(3) The Hundred and the Hundred Rolls, pp. 188-90.

added for Lincolnshire, a capital constable for the "parts of" Kesteven (A.R. 505, no. 453) - no doubt also for the other "parts;" and Lindsey, having three ridings, may well have had three capital constables - who probably had the duty of supervising the constables of wapentake and vill. There were, moreover, constables in charge of royal castles or castles for the time being in royal hands; and these arrangements were to some degree paralleled in seignorial organisations.⁽¹⁾

Perhaps the question of royal officials in the county may best be summed up in the words of the royal ordinance of 12 March 1297, appointing special clerks to hasten the collection of royal debts, wherein the king states what will happen to royal officials who are attainted: "E si viscountes, sous viscountes, receyvours des viscountes, chiefs taxours, chiefs ballifs des fraunchises, de triding et de hundred seient attainz . . . seient mis a la prisone e puis/

(1) cf. N. Denholm-Young, *Seignorial Administration in England*, esp. pp. 3, 6, 33. I append some examples:-

- i) Robert of Calnton, the Bishop of Lincoln's constable at Lafford Castle in 1290; he also acted as the Bishop's bailiff (Reg. Sutt., Mem., f. 9d.)
- ii) William of Wigtoft, the Earl of Lincoln's constable at Lincoln Castle in 1295-6 (Min. Accts. 1/1, m. 9d.)
- iii) Nicholas de Newbaud, the Earl's constable at Bolingbroke Castle at the same period (ibid., m. 10)
- iv) Nicholas de Lommeley, the Earl's constable at Donington at the same period (ibid., m. 6)

puis seient mainpris par bene e suffisaunte mainprise..

.... E si autres pettez gentz sousbaillifs bedeaus e
autres ceaus seient attaynz de trespas: seient en
prisonnes sil eient deserm' e facent fin illoques en
count solun richesse et solun la quantite de trespas.⁽¹⁾"

They are all here: sheriffs, sub-sheriffs, bailiffs
of franchises, of ridings and of hundreds, sheriffs'
clerks and receivers, sub-bailiffs, bedells, "and
other such;" and A.R. 505 contains examples of them
all.

(1) K.R.M.R. no. 70, m.102.

REMEDIES.

The 1298 enquiry was a special one into the conduct of royal officials during the previous four years; it was not part and parcel of the ordinary administration of justice. It took place under commissions of oyer and terminer;¹ therefore not only could cases be heard, but also determined, with punishments to the guilty and remedy for the successful plaintiff.

These punishments, as recorded in A.R.505, show progressive degrees of severity, from the offender being merely put in mercy,² after which he might or might not be amerced; through committal to gaol, in lieu of which a fine was nearly always made³, to the heaviest sentence promulgated by William Inge and his fellow-justice in Lincolnshire; committal to gaol and dismissal from the offender's royal office for life - or, as the formulae more graphically but not less truly puts it, for ever.⁴

The fines made in lieu of imprisonment varied from forty pence to ten pounds according, apparently, to the heinousness of the offence and the ability of the offender to pay. The heaviest fines

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1. C.P.R. 1292-1301, p.338.
 2. eg.no.239.
 3. e.g. no. 280.
 4. e.g. no.346.

are made by the sheriff, Richard of Draycote, by William le Wayte, who was probably capital constable of Kesteven under a previous sheriff, and by Robert Pygoun, a bailiff of a pair of wapentakes; each of these officials paid £10.¹ But the sums most commonly paid in fines were perhaps half a mark - 6/8-and 40/-. Moreover, the offender was expected to make a fine, and on the rare occasions when he did not, the scribe felt it necessary to record the fact.² Indeed the number of cases in A.R.505 in which a fine was made, compared with the very few in which a committal to gaol was not so commuted, not only strongly supports Maitland's evidence that the justices encouraged this practice,³ but suggests that by the end of the thirteenth century it had become the normal one. This should not occasion surprise, for the practice had the double advantage of releasing the limited space of the local gaols for the worst criminals such as felons, and of bringing additional revenue to the crown: yet it is well to emphasise Maitland's point that the fine was made, not imposed;⁴ the convicted offender must still go to prison if for any reason he preferred not to make a fine. Nevertheless the overwhelming proportion of cases in which the statement 'fecit finem' occurs with the attendant marginatia

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1. Nos. 381, 382, 363 respectively.
 2. e.g. No.366.
 3. Pollock & Maitland II, p.516.
 4. Ibid., loc. cit.

'ad scaccarium' and, entered later, a large 'S' indicating that the money has been paid in to the central authority, bear eloquent testimony both to what might be termed the current attitude to the local gaol and to the financial benefits accruing to the central authority.

But the offender did not escape merely with his fine. With nearly every conviction in A.R.505 goes an order to make restitution, mostly financial, to the value of what was unjustly taken if this was in the form of corn, beasts or other goods; or if it was money, of the sum taken. In addition there might be an assessment of damages, which might then be doubled or even trebled.¹ Thus the offender might be liable at once for his fine to the crown, restitution of the value of what he had unjustly taken, and triple damages to the plaintiff. A good example of this is No.64, where the offending bailiff made a fine of 40/-, and was at the same time ordered to make restitution to the plaintiff of 14 pence which had been unjustly taken, and also to pay him triple damages which totalled 3/6d.

In these ways the complainants of A.R.505 obtained redress and remedy, but in some cases they had had to wait nearly four years for it. For this

1. cf. Pollock and Maitland, II, p.521, and note I.

reason some enquiry must be made as to what remedies were normally available to those who suffered at the hands of royal officials; whether these remedies were adequate, and if not, wherein the inadequacy lay - why, in short, a special enquiry was necessary at all.

The best approach to the problem is perhaps to consider first the nature of the cases enrolled in A.R.505. Very few of them were actually called trespasses, transgressiones,¹ but it is worth while to discuss three cases, for they provide a clue to similar ones in A.R.505, where the word trespass is not used. In the first case the Abbot of Vaudey 'queritur de' -- complains of -- a pair of officials that they unjustly and without warrant took from him 24 oxen of his plough-team. This was by way of distraint against a debt due from the abbot to the king, the debt being the abbot's quota in respect of the tenth of movables levied in 1294. The delinquents are punished, and one of them admits 'quod fecit predicto abbati predictam transgressionem'. Here is an acknowledged trespass in the form of an unjust distress.²

In the second case, a vicar complains, queritur, that a royal bailiff took 2 quarters of

1. E.G. Nos. 229, 237, 456.

2. cf. No.422, a similar case where trespass is not mentioned by name.

green corn from him and retained it in his own possession. The corn was taken by order of a royal collector of prise; in the end the bailiff made fine 'pro ista transgressione', for this trespass. Here the trespass lies, not in taking the corn, for that was legitimately done by order of the royal takers of prise, but in the bailiff's retention of some or all of it to his own use.

The third case concerns a distress made by a bailiff in respect of an alleged summons of the green wax. The bailiff collected the debt but retained the money to his own use and did not give the plaintiff a receipt for it. No mention is made of the nature of the distress; it may have been of money, not of chattels, but in any case, the bailiff made fine pro transgressione.¹ These examples have brought out two important points. One is that an injured party could, at the 1298 enquiry, initiate proceedings against trespass by merely making a complaint;² the other is that not only wrongful distraint for debt, but also sharp practice by those who were appointed to make prises in the king's name, was admitted to be a trespass. And if unjust practices in collecting debts due to the king, including arrears of taxes on movables, and in collecting prises ordered by the king

1. Note that this case begins 'iuratores presentant' and that it replaces another (383) which gives only the conclusion of the case and begins 'conuictum est per iuratum.' This shows that a plea of trespass could be begun by presentment of jury, and also that A.R.505 does not give all the proceedings in all cases.

2. This point is discussed below, p. Here cf. entry no. 378.

are both comprehended by the term trespass, then an important part of the complaints recorded in A.R.505 is accounted for. But even so, it still cannot safely be said that ipso facto all such malpractice in respect of money debts and prises involved trespass. It can only be suggested that this is probable; but the suggestion is strengthened by the existing evidence that actions for trespass, though known early in the century, only became rapidly common from the last years of the reign of Henry III, and that already trespass has itself become a term which will cover a wide variety of wrongful acts.¹

It will be noticed that in the examples quoted above from A.R.505, trespass on the part of the royal official is met by querela, complaint, on that of the injured party. For this reason the antecedents of the formula 'A. queritor de B..' must be examined a little more closely.² As early as the 1250's unjust distraint by sheriffs and their bailiffs was a trespass and could be remedied by complaint made at the Exchequer,

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1. cf. Pollock and Maitland, History of English Law, II, pp.523-4, 510-11, respectively.
 2. For this part of the discussion I have drawn freely upon E.F.Jacob, Studies in the Period of Baronial Reform and Rebellion, 1258-67 (Oxf.Studies, vol. VIII), and L.Ehrlich, Proceedings against the Crown, 1216-1377 (Oxf. Studies, vol.VI), because from their respective points of view they have thoroughly covered the ground which the present study touches at several points, particularly in regard to the use of querela procedure, the remedial desires of the reforming barons of 1258, and the position of would-be litigants over against the legal status of royal officials.

whence would issue a writ beginning 'monstravit' or 'questus est:'¹ that is to say, a personal complaint laid before the barons of the exchequer could originate an action for trespass emanating from this department. This may be a new development, but the use of querela was known earlier, and can be traced back to the very first years of the thirteenth century.² At any rate, in 1258-9 the reforming baronage took matters a step further by including querelae among the kinds of cases that were to be dealt with in the special inquest of 1258-9.³

This meant that instead of coming to the exchequer to make their complaints, plaintiffs might make them locally as the inquest came round. The importance of the querela, used in this way as a method of litigating, was that it needed no preliminary writ before an action could be started;⁴ and was therefore an informal means whereby small tenants might, at least cost to themselves, be able to have justice done in their causes -- causes which otherwise might never be heard at all for want of money to procure the means of justice.

It is to the credit of the barons of

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1. Ehrlich, op. cit., p.30.
 2. Jacob, op. cit, pp.67-9; and Lines. assize rolls of 1202 and years immediately following show querelae being used then, see Linc. Rec.Soc., vol22, pp.10-11.
 3. cf. Jacob, op. cit. pp.36-7.
 4. cf. Ibid., p.65.

1258 that they realised the need for finding a way to extend justice to those who could not in the ordinary way afford the cost of it; it is still more to their credit that they were able to devise a way. In the Provisions of Oxford it was arranged that four knights should be elected in each county, who were to meet, on the days when the county courts were held, to hear complaints against local royal officials and others, and to make attachments, so that the chief justice at his next coming could deal with the delinquents, hearing and determining the pleas on days fixed by him. All such complaints, together with the appropriate attachments, were to be enrolled by the knights, and this was to be done in every hundred.¹ The inquest was held in 1258-9; and some of the questions asked have a familiar ring to the student of A.R.505; for example, have any beasts been unjustly taken and detained against justice, to the injury of the owners? What money and prizes have been taken in fairs, counties, towns, etc.?² Further, Jacob emphasises the fact that every activity of royal officials had in one way or another a fiscal aspect; that therefore all abuses of such activity involved extortion in money or in kind³ -- a view amply borne out by the

1. Provisions of Oxford 1258, in *Select Charters*, p.378; cf. Jacob, *op. cit.* p.22. The words used in the Provisions are querela, complaint, and conquerentes, complainants.

2. Jacob, *op. cit.*, pp.31-2.

3. *Ibid.*, p.28.

evidence of A.R.505 -- and that the special case of wrongful seizure of beasts constituted unjust distraint,¹ which was a trespass.

These instances show that there was nothing new about the complaints recorded in A.R.505; they were perennial. But what it meant to the small man to be able, now, to bring his humble querela into the court and have justice done there, whether he brought it personally or by the presentment of his local jury, is vividly illustrated by Jacob's comment on the querelae of the villein socmen of Brill in 1258. He shows clearly that it was the petty exactions of bailiffs which laid burdens on the small tenants that were not only exasperating but might also be very serious.² It is exactly this kind of burden which is so copiously revealed by A.R. 505: and that situation in 1298 was not merely hypothetical is proved by the high proportion of convictions recorded in this roll. To such people, then, even more in 1258 than forty years later when the procedure was well established, the knowledge that their little querelae could have the same force of law as the more formal writs of action that they could not afford, must have been the dawn of a new hope altogether; it is therefore not surprising that with the small tenant

1. Ibid., p.31.

2. Ibid., p.45.

querela procedure became instantly popular.¹

The acts of the reforming barons augured well for the interests of the smaller tenant, if less so for royal and seignorial officials. Yet the institution of an informal, writ-less, cheap procedure was not in itself sufficient: it provided a palliative, not a cure. The reformers were, however, not afraid to attack the deeper problem also. The appointment of the four knights of the shire of 1258 was replaced, in the Provisions of Westminster of 1259, by a similar but rather less comprehensive arrangement.² And in the Provisions of Oxford of the previous year the reformers went very near to the root of the matter when they attributed the abuses of royal officials to the high fees at which counties and bailiwicks were held, and to the personal indigence of officials. Accordingly, they ordain that both the sheriffs and their bailiffs shall be paid by the king, nor shall the sheriffs, now to be elected, to hold office for more than a year.³

The important point is this, that if all these desiderata could have been attained and made a permanent part of normal law and administration, it is likely that subsequent special enquiries into the conduct of royal officials, including that of 1298, would have been rendered unnecessary. But, unfortunately

1. cf. Jacob, op. cit., pp.330-1.

2. cf. Jacob, p.92.

3. Provisions of Oxford, in Select Charters, p.382, cf. Jacob, pp.20-1.

for the small tenant, the king contrived to evade all but one of the reforms, which were dropped, probably in 1260.¹ As a result, Henry III reverted to, and his son retained, the old practice of appointing sheriffs during pleasure and of letting out shires and bailiwicks at ferm, while nothing more is heard for forty years of closer local administration with a view to supervising the activities of local royal officials.

Yet the small tenant was left with two clear gains from the turmoil of baronial revolt. One was the very considerable extension of actions for trespass to cover relatively small administrative abuses; the other was the procedure by querela.² Is it wholly by chance that in point of time this extension of trespass and this emphasis on querela coincide? If the small tenant was to be protected at all, and if the extension of trespass was to be truly effective, some new and easier process than action by writ was required; querela procedure met this requirement and continued to meet it. The implication is clear enough, the evidence doubtful;³ but it is enough, for the purpose of the present study, to note that the two phenomena appear together and grow together, in the manner of an idea whose time has come.⁴

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1. Jacob. op.cit., p.96.
 2. Pollock and Maitland, II, pp.510-11; cf. Jacob, p.142.
 3. But cf. Select Pleas in Manorial Courts, I (Selden Soc., vol. II), p. 56: 'A conqueritur de B super transgressionibus...factis' Here querela and transgressio are conjoined in practice. The date is 1258.
 4. It is perhaps worth while at this point to include

4 (contd.) some illustration of the variety of the querelae that could be used. From Select Pleas in Manorial Courts, I, (Selden Soc., vol.II) come the following: A queritur de B that B raised a hedge between his tenement and A's (1296), p.46; A conqueritur de B that B, contrary to his homage and fealty to the Abbot of Ramsey, keeps a man to the nuisance of A (1258), p.56; A queritur de B of battery (1258), p.67; A queritur de B that B basely slandered him over all the countryside, saying that A stole some corn belonging to B's master (1294), p.82; A queritur de B that B took a beast from A's plough wrongfully and to his damage (1295), p.83 - this is very like some of the querelae in A.R.505 - A queritur de B that B insulted him in the churchyard before the entire parish, charging him with collecting his own hay with labour services due to the Abbot of Ramsey (1278), p.95; A queritur de B that B defamed him as a thief, seducer and manslayer, and other serious things (1294), p.116; A queritur de B that while A, in the Abbot's peace, was making a bargain with a merchant at St.Ives fair for 3 ells of vert, B assaulted him and called him a thief (1275), p.138; A queritur de B that B bargained with him at St. Ives fair for a pig's ham, carried it off and never paid for it (1275), p.142; and many other similar cases. From H.Hall, Formula Book of Legal Records, p.147, comes this example which, mutatis mutandis, might have been enrolled in A.R.505, but it is taken from A.R. 1233, m.5: A queritur de B, sometime bailiff of the Earl of Cornwall, that he with others took A's beasts vi et armis, and those of A's villeins, and drove them away, detaining them till A made a fine with him (1276-7); and these: A queritur de B that B unjustly fenced with a ditch and hedge part of a royal wood which had never previously been fenced; and A (a group) queruntur de B that B took 26/- from them for not coming to a court where they were not accustomed to come (about 1240 pp.210-11. And, finally, a very early case in the same form comes from the Lincolnshire assize roll of 1202 (Linc. Rec. Soc., vol.22, pp.10-11): A queritur quod B carried away by force and unjustly an ash-tree from A's free fee. There are several other cases of querela in these early Lincolnshire rolls, proving that the procedure was not unknown at that time.

Thus for the small tenant seeking redress for grievances against royal officials there were these remedies open: if he had the means, he could take out an individual writ if one would lie, or he could go to the exchequer and lay his complaint there, when the exchequer might initiate proceedings against the offending official.¹ But if he did not possess the means, a circumstance which must have applied to very many of the complainants in A.R.505, there was now available the boon of being able to make a mere complaint in local courts.

Nevertheless there was still a grave disability in the path of the wronged small tenant, a disability which, so long as it existed, very considerably reduced for him the value of the new querela procedure. He could not lay his complaint before the local courts at any time when they met. There were several reasons for this. The first is practical, if quite extra-legal: since the complaint was against a royal official, perhaps even against the sheriff himself, it was unlikely that the injured party would get justice done, even if he were rash enough to brave the displeasure of officials who were delinquents ex officio. But underlying this was a legal position, well brought out by Ehrlich. The substance of it is this: the sheriff's bailiff,

1. The Exchequer frequently did this, cf. Ehrlich, op. cit., pp.29-30.

just as the sheriff himself, was a royal minister, that is to say, a person delegated to a certain locality to do the king's business and to represent the king's interests there; hence a private individual's complaint against him or his bailiff is thereby a complaint against the king, so that in any case the complainant had to be careful what he did.¹ To emphasise the point a parallel may be drawn. Maitland, speaking of the obligation of a lord to defend his tenants, shows that the advantage of wealth and power in regard to litigation were often decisive. If, therefore, a tenant could shelter behind his lord and remind his would-be opponent that to sue him were to sue his lord also, the risk of litigation was markedly reduced, unless the other party could rely to an equal degree on his own superior.² If this were true of private litigation in the thirteenth century, how much more was it true when the parties were a royal official, even a minor one, on the one side, and on the other, a small tenant with perhaps little or no backing.

But the parallel does not hold completely. The king had, it is true, the supreme power, yet he was bound to obey the law; so were his ministers. The difficulty, and also the way out, lay in the king's right not to be judged by

1. cf. Ehrlich. op. cit., p.69.

2. cf. Pollock and Maitland, I.p.287.

anyone against his will. So long as the king held to this right, which extended to his delegates as well, the royal minister, be he only a sub-bailiff, was immune and could not therefore be proceeded against with impunity to the complainant. Only when the king consented to waive the right, and issued orders that justice should be done to those who had been injured by acts of his ministers (and therefore by acts of his own), were these ministers removed from the royal protection and thereby assailable in court of law like any other individuals.¹ On this view, every time the king admitted that wrongs done by his ministers were actually wrongs, and caused writs to issue in his name ordering redress to be made, whether to individuals or by means of a general enquiry, such as an eyre, he was waiving this right and reducing his officials, for the time being, to the status of private persons. This, however, was an act of grace; complainants might supplicate, but the initiative lay with the king.

But there was one final and conclusive reason why the small tenant could not bring his querelae against royal officials before the local royal courts in the course of ordinary business. Every action for trespass in a royal court presupposes

1. Ehrlich brings out this point, op. cit., pp.24-6, cf. p.69.

a breach of the king's peace, though not necessarily a heinous one;¹ and as such, is a plea of the crown: hence complaints touching trespasses committed by royal officials would also be pleas of the crown, and since they were committed by royal officials and not by private persons, would be doubly of interest to the crown. But it is expressly laid down in Magna Carta that no sheriff, constable, coroner or other royal bailiff shall hold pleas of the crown,² and though infringements did occur, they find no place among the specific complaints made by the baronage in 1297. It may be said, then, that for the small tenant who could not afford a writ or a visit to the Exchequer, and who for the reasons stated could not bring his complaint to the shire court as part of that court's ordinary business, the field of opportunity was seriously narrowed. He had, in practice, to rely on those occasions when the king chose to waive the right discussed above, which his ministers shared ex officio. This meant waiting for the next visit of the justices in eyre, and redress could then be obtained only if the articles of that eyre included questions as to the conduct of royal ministers.³

1. Pollock and Maitland, II 462-3.

2. Magna Carta 1215, art.24; 1217, art 27. Select Charters, 296, 342.

3. It is to be noted that the frequent and popular visits of the justices of assize to the shires were of no assistance to the small man burdened by the king's ministers' malpractice, for these justices could deal only with possessory actions arising out of disputed seisin of land.

The eyres were not popular; the commissions issued to the justices covered the widest field - ad omnia placita - and by the middle of the thirteenth century it had become customary to hold eyres not more than once in seven years.¹ We may ask what opportunities for redress of officially committed wrongs the advent of the justices in eyre presented to the small tenant, once the querela procedure had become established. Taking his standpoint, and looking through the articles of the eyre at various times, we find these questions, among others which the justices must ask:² Touching those who have taken a bribe for corn and chattels, that they may not be seized;³ similarly touching prises made by sheriffs against the will (i.e. of the owner);⁴ touching bailiffs who took money to remove recognitors from juries;⁵ touching prises of the lord king;⁶ touching sheriffs who take money twice for one amercement;⁷ touching those who distrain anyone to pay more than that at which he has been amerced;⁸ touching sheriffs who hand over hundreds at other farms (i.e. than normal ones) to extortionate bailiffs - the small tenant might well suffer indirectly from this;⁹ touching

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1. cf. Pollock and Maitland, I.180-1.
 2. The references following, to articles of the eyre, are to Miss Cam, *Studies in the Hundred Rolls*, (Oxf. Studies vol. VI) pp. 92-101.
 3. Asked in 1227, 1254, 1276, 1280-1, 1287-8, 1294.
 4. Asked in 1208, 1227, 1244, 1254, 1280-1, 1287-8, 1294.
 5. Asked in 1254, 1276, 1280-1, 1287-8, 1294.
 6. Asked in 1254, 1280-1, 1287-8, 1294.
 7. Asked in and after 1254.
 8. Asked in and after 1254.
 9. Not asked till 1280.

touching those who shall have taken debts of the king and not given quittance to the debtors;¹ touching those who took oxen for carriage against the will (of the owners);² touching prises of the constables of castles, except the ancient prises;³ touching those who took draught-beasts in one county and drove them out of the county, or into castles, and there detained them.⁴ Thus while it is true that the justices in eyre were to safeguard the interests of royal administration at all points, it is also true that in the latter half of the thirteenth century, at least, some of those points covered injuries done in the king's name to private individuals, and that in consequence the small tenant might hope to find some redress when the eyre came round.

But at best, the eyre came round only once in seven years, and in practice that interval tended to be irregular and to lengthen. For example, in Lincolnshire, over the half-century 1250-1300, eyres were held or were to be held as follows: 1250-1; 1256-7; 1263; 1267 (a general eyre ordered for all counties); 1271-2; 1281 (ten years' interval); 1292-3 (eleven-twelve years' interval). Northants fared worse; the dates were 1253, 1261-2; 1267-8; 1285:

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1. Not asked till 1280.
 2. Not asked till 1281.
 3. Not asked till 1281.
 4. Not asked till 1280.

there does not seem to be another till 1330! In Notts eyres were held in 1252 (probably); 1257-8; 1267; 1269-70; 1280, the last for the period; and for Rutland the dates are 1247; 1263; 1267; 1286.¹ Thus with the exception of the baronial revolt, 1258-67, with which the frequency of eyres held at that time may be directly connected,² the coming of the eyre to the counties represented a distinctly uncertain quantity; and of the four counties mentioned, Lincolnshire was the most favoured. It was little enough consolation to the small tenant suffering a wrong committed by a royal official just after the eyre had passed, to know that for want of money he must wait seven years before he could obtain redress; it would be even less consolation to realise that the eyre might not come again for ten. The eyre, therefore, might be but a doubtful blessing.

There was always the hope, however, that a special enquiry might be held, having for its object, or one of them, the conduct of royal officials; but the disadvantage lay here, that the ordinary man did not know when such an enquiry would be held or whether it would be held at all, until he saw the local machinery being put into motion.

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1. These dates are taken from Miss Cam's table, *Studies in the Hundred Rolls*, pp. 108-112.
 2. cf. Jacob's study, quoted above.

The great inquest of 1274-5 was an enquiry of this nature. It was closely related to an eyre, in so far as the questions asked were closely akin to those asked at an ordinary eyre, but it differed from an ordinary eyre in that it was to take place over the whole country at one time, and it differed also in one other very important respect: the commissioners were merely to make enquiry, to hear, they had no power to determine what they heard, to do justice.¹ Therefore this inquest was not of much immediate practical use to the small man with a legitimate grievance, though he could indeed air it. The special enquiry of 1298, however, was different. For one thing it was a direct outcome of a political crisis of some magnitude, where the 1274 inquest was not; for another, the terms of the commission of enquiry were very much more limited than in 1274 - they referred only to the conduct of royal officials since the outbreak of war four years previously, and contained no general questions; but above all, its commissioners were empowered not only to hear complaints but to determine them, to do justice on the spot. The main points of resemblance between the two inquests were on the one hand their national scope, and on the other, the sameness of the official

1. cf. Miss Cam, *The Hundred and the Hundred Rolls*, 39-40.

misdeameanours in both cases. And the outstanding point about the 1298 enquiry is its vindication of procedure by querela. In many cases individuals come to court and make their complaints in person. In more cases, the entries begin 'Iuratores presentant ...' What do they present? Simply the querelae of villagers, most of them probably of villein status, whonhave made these complaints to their local jurors because they could not leave their work or their lords' work in the fields to go to Grantham or Stamford of Boston or Louth.¹ They cannot go in person and it would be unthinkable for any of them to get as far as Westminster, but they have their right of complaint, they have their local jury who will 'present' their complaints, they have their opportunity in this special enquiry, justice will be done to their oppressors and themselves, and for once they are articulate.

Some of the questions originally propounded are now answered. It has been demonstrated that by 1298 there was open to the small tenant, and even to those of lower rank than he, this querela procedure,² which might be made in person at the court or to a presenting jury. It has been shown also that

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1. cf. Miss Cam, The Hundred and the Hundred Rolls, 41-3.
 2. It was, incidentally, made use of by the great as well as the obscure; cf. Jacob, op.cit. 114, where he shows the barons of the Cinque Ports using it; and also A.R.505, No.229, where the Abbot of Vaudey uses it.

if the complainant could afford it, he could obtain a writ of trespass if one would lie, or could go to the exchequer and lay his complaint there. But when it is asked whether these remedies were adequate, and if not, where in law the inadequacy, it must be said that these remedies, though sufficient for the man who could afford the luxury of writs or visits to the exchequer, were not so for those whose slender resources forced them to rely on periodical visits of royal justices to their own localities: septennial eyres, especially when the interval tended to lengthen to ten years or over, could scarcely be called an adequate provision for these people. The inadequacy, therefore, lay in the failure to provide machinery which would enable what might be called petty justice to be done in the long intervals between eyres; and it is due to the lack of just such machinery that special enquiries were necessary at all.

But if the reforming barons of 1258 saw the need, though they were unable to ensure its being permanently met, that need was not lost upon the baronage at the end of the century. No attempt was made to meet it in 1297, when the barons secured the confirmation of the charters, but in 1300, in the Articuli super Cartas, the problem was again tackled,

for the first time since 1285. And between 1297 and 1300 the special enquiry, of which A.R.505 forms a part, had taken place. Had the results of this enquiry any direct bearing upon those clauses of the Articuli which provided a remedy to make the small man's querelae of more use to him? It can be said that there is a vital connexion between the Confirmation of Charters and the Articuli, and that the enquiry of 1298 is intimately related to both. This is readily demonstrated in regard to prises ad opus regis; may it not also be the case in regard to remedies? The very fact that a special enquiry was necessary is proof of the unsatisfactory nature of judicial administration at the time, and this, coupled with a deliberate attempt to remedy the situation in 1300, is of considerable significance. It is further significant that this attempt is made in the very first article of the Articuli, while regulations for prises ad opus regis immediately follow it; and this circumstance may be taken as an indication of what, to the baronial mind, was most urgently in need of reform.

The key to the question of remedies is to be found in these clauses of article 1 of the Articuli: 'the Great Charter and the Charter of the Forest shall be firmly kept in every point; but where no remedy hitherto existed under the common law, there shall be chosen in every county, by the whole community of the

county, three trustworthy men, knights or other lawful, wise and well-informed persons, who shall be justices sworn and appointed by letters patent of the king under his great seal, to hear and determine, without other writ than their common warrant, the complaints which may be made against all those who shall betray or transgress any of the terms of the said charters, in the counties where they are appointed, whether within liberties or without, as well by royal ministers ex officio as by others; and they shall determine the pleas heard from day to day without allowing the delays that are allowed by the common law; and that these same knights shall have power to punish all those who shall be attainted of trespass made against any point of the charters where there was hitherto no remedy in common law, by imprisonment or fine or amercement, according as the trespass requires. And by this the king does not intend that the said knights shall hold any other plea by the power they are to be given, in cases where, before the present time, remedy was provided by writ in accordance with common law, nor that prejudice shall be done to the common law, nor to the said charters in any of their provisions. And the king wills that if all three are not present or cannot be held at all times to do their office in the form aforesaid, two of them shall do it. And it is ordained that the sheriffs and bailiffs of the king shall

embryo in 1215: both trespasses in fact and reasons for querelae existed in plenty in 1215, it is true, but the expansion, hand-in-hand, of both trespass and querela, is not only a function of the expansion of the idea of justice, but is a phenomenon peculiar to the latter half of the thirteenth century. And it is more than this: it is one more proof, and a telling one, that Magna Carta is by this time not the edifice, but the foundation of English liberties. The 1300 regulations as to prises form one stone, as it were, of the superstructure which is beginning to rise on this foundation; the provision, in the same year, for trespass and querela, forms another. It is true that neither stone was cemented for some time to come, but the point of real importance is that both were laid.

CAUSES OF MISGOVERNMENT: THE PLACE OF THE 1298 ENQUIRY.

If a study of A.R.505 reveals one thing more than another, it is that there was widespread local misgovernment in Lincolnshire on the part of royal officials, among whom the bailiffs and sub-bailiffs, and next to them the sub-collectors of taxes, seem to have been the worst offenders. But misgovernment does not occur without a cause; and that there was a main cause is revealed by almost every case of A.R. 505 that is not a case merely of non venit.

The key is to be found in case 340, where an unjust distraint is made by the beasts of a man's plough team on account, it is alleged, of arrears in payment of the ferm of the wapentake of Aswardhurn. I am strongly of the opinion that in this phrase 'ferm of the wapentake' one of the main causes, if not indeed the main cause, of local misgovernment is revealed. The farming system was railed upon from time to time during the whole of the thirteenth century, from Magna Carta in 1215 to the Articuli Super Cartas in 1300, yet it persisted, and its attendant evils persisted, in spite of efforts to alter it. Thus the barons of Magna Carta, while not attempting to probe the matter to its root, protested against the undue raising of the ferms at which counties were held by the sheriffs, and ordered that apart from demesne manors all countries, ridings, hundreds and wapentakes

should be held at the old farms.¹ But this took no account of the possibility of a rise in the revenues of the counties and was dropped from all the reissues of the Charter. The King was thus left free to raise, if he wished, the farms at which counties might be held. Then in 1258 the reforming baronage, as pointed^{out} when discussing the question of remedies,² attributed the oppressions of royal officials to the high farms at which bailiwicks were held and to the personal indigence of the officials themselves; and in consequence demanded election of sheriffs for yearly periods and the payments of salaries to them.³ Unfortunately, this excellent provision was evaded by the King and later by his son Edward I, until in 1300 the demand for elective sheriffs was renewed in Article 13 of the Articuli Super Cartas.⁴ But even then, hundreds and wapentakes were still to be let out at farm, provided the farms were not too high.⁵

1. Magna Carta, 1215, cap. 25. In Select Charters, p. 296.

2. Above p. ^

3. Provisions of Oxford, 1258, in Select Charters, p. 382.

4. 'E pur ceo ge le Roi ad grante la esfeccion de visconte a eus des contez, voet le Roi gil eslisent tieu visconte ge ne les charge mie, ne ne mette nul ministre en baillie pur lower ne pur down, et tieus ge ne se herbergent mie trop sovent en un lieu, ne sur les poveres, ne sur les religious.' Bémont, Chartes des libertés Anglaises, p. 106. 11

5. 'Derechief, ge les baillifs et les hundreds du Roi ne des grantz seignurs de la terre ne soient lesses a trop grant summe a ferme, par quei le poeple soit greere ne charge par contribucions feres a teles fermes.' Ibid.

The ferm was in fact a rent, calculated on the basis of the estimated yearly revenue of the shire, which the sheriff was bound to pay to the Exchequer in return for the privilege and duty of administering the shire in the King's interest. If the year was good, and the revenues of the shire exceeded the amount at which the ferm was fixed, the sheriff would look to making a profit. If the year was bad, the ferm still had to be paid at the current rate, and the sheriff might therefore find himself out of pocket, as might also happen in a normal year if the ferm had in the meantime been raised. The same principle held for the sheriff's territorial subordinates, the bailiffs of ridings or wapentakes. He let these out to them at terms which he took care to see would fully recoup himself in a normal year, but left his bailiffs to make their own profits out of their wapentakes as best they could - and the manner of their doing this is amply illustrated by A.R.505. The process was therefore cumulative: it might be a privilege for Ralph Paynel to administer Lincolnshire in the King's name; for Thomas of Easton to administer the Parts of Kesteven likewise, under Ralph; for Ivo of Billingham to administer Flaxwell and Langoe wapentakes under Thomas in the same way; and for Alan of Tallington to look after, say, Langoe under Ivo similarly: but it was also a liability for each of them, not an asset. For the

only constant unit was the sum each had to pay to his superior, and Ralph to the King, for his privilege and duty - there was no question of a fixed salary such as the modern civil servant enjoys.

But each of these public servants had to live, and to live they had to try to make enough in whatever way they could, both for current needs and against the rainy day that was sure to come sooner or later. If the King for any reason raised the ferm of the county, that increase was faithfully reflected down the scale. From the officials' standpoint the whole system must have represented, in contemporary terms, a continual speculative adventure; it might prove personally lucrative, but in any event was likely to be a hand-to-mouth existence. And the means to live must for the royal official come from the same sources as the revenues of the King, the pockets of the people in the last resort, with this difference, that for the King the source was ultimate, while for the wapentake bailiff it was direct, because he was in direct contact with the people.

It is when we view the farming system from as near the standpoint of the royal bailiff himself as we can that we realise the force of the baronial contention of 1258, that the abuses from which the common people suffered were due to high ferms and the

personal indigence of the officials. Yet as to this, perhaps the barons were only substantially correct. In 1298 the abuses were self-evident: every case in A.R.505 witnesses that; but the fines made by the royal officials who were convicted do not always suggest indigence. A bailiff who can make a £10 fine is clearly not indigent, nor perhaps, one who can pay only 40/- . It is the men who make the little fines of forty pence and half a mark who are on the border-line, and admittedly they form the majority in the record of A.R.505.

Nevertheless the bailiffs' living, if it were to be made at all - and particularly the sub-bailiff's, since some of the higher officials might possess some land of their own - had to be made at the expense of the people living in his bailiwick; and he made it, in too many cases, by oppressing whom he might, which in practice meant the smaller tenants, those who had least power of hitting back. The evidence for this is overwhelming and extends far beyond the witness of A.R.505.¹ Yet in fairness to the bailiffs it must be said that they were appointed and held office under a system which in effect set a premium upon dishonesty, though

1. cf., in particular, Morris W.A., *The Medieval Sheriff*, pp.188-92; Miss Cam, *Studies*, pp.152, 192, and her *The Hundred and the Hundred Rolls*, chapters IX and X, pp. 59-188.

it is perhaps too easy for us to realise a fact that was clearly far from obvious to the men of the day; and it must be said also that not every royal official in Lincolnshire - or elsewhere - was a rogue. Even the bailiffs, the worst offenders in A.R.505, do not all figure in the roll; it is only a proportion of the total who held office during the war years that are indicted, perhaps not even half. And we are told only of the occasional when the system broke down, nothing of those when it succeeded.

Even so, the evidence for Lincolnshire shows widespread oppression, and it is against this background that the real nature of the complaints in A.R. 505 becomes apparent. It has been emphasised continually ⁱⁿ the foregoing discussion that the complaints were in no case made against the war-time burdens as such, but always against the local royal officials' administration of them. This is precisely what the terms of the commission of enquiry would lead us to expect, but A.R.505 proves that (what loomed largest in the mind of the ordinary man was clearly the increased opportunity provided by the burdens for the exercise of the predatory instincts of the officials with whom he had to deal.

It is well to insist upon this emphasis, because it is the means whereby the 1298 enquiry may once again be related to the political crisis which produced it. The rebellious Earls Marshal and Constable, in their manifesto issued in the summer of 1297, lay their emphasis first upon an alleged irregularity in the military summons to London, then upon prises, but rather from their own standpoint than that of the people at large; and only after this upon a general and ill-defined state of misgovernment.¹ The evidence of A.R. 505 shows that the royal prises affected also a section of the community considerably below the status of those who were liable for military service of a feudal nature. This circumstance, together with the vagueness of the Earls' general complaint - in contrast to the clear definition of the initial complaint regarding feudal summons, and of that against the maltolte on wool, which affected the wealthy much more than the poor - raises a suspicion of self interest as one important motive behind their manifesto, and throws doubt on its validity as an accurate gauge of public feeling. This is not to say that self-interest was the Earls' only motive, or

1. Above, pp. i-vi

or that they were quite out of touch with the state of the country; but the King had a better grasp of the situation than they. In his own letter of 12 August 1297 he shows his appreciation of the fact that he has burdened his people, and follows this up by a promise¹ to make amends as soon as he returned from Flanders. Elsewhere he reveals his knowledge even more clearly. In the writ to the sheriffs which accompanied the Forma capcionis bladi of 29 November 1296, he says this: "And because from the common complaint of the people of our realm, we have perceived that you and your sub-bailiffs, as also other sheriffs and their sub-bailiffs, have, in a similar prise of corn to our use, spared the rich by reason of their gifts and have taken the corn of the poor, and have retained a part of the corn so taken to your own use, not a little to the loss and injury of the people themselves and to the manifest scandal of us²" so, if the practice continues, the King will punish the offenders.

Here Edward not only reveals his grasp of the state of the country but an intimate knowledge of the real point at which the shoe pinched, irrespective of the nature of the burdens imposed. He himself lays the emphasis on the manner of collecting a prise as a

1. Above, p. xiii

2. L.T.R.M.R. No. 68, No. 20.

potent source of hardship and grievance. It is prises, again, that he lays most stress upon in both the ordinance setting of the 1298 enquiry and the commissions issued to the justices;¹ and in the royal writ of 16 December 1298 included in A.R. 505 (No. 379), William Inge and his fellow-justice are addressed as justices appointed to hear and determine complaints of prises made since the beginning of the war: prises here exclude everything else.

It is thus clear that in Edward's own mind the war-time prises bulk largest as the basis of public discontent. That he appraised public feeling aright is amply borne out, not only by individual cases in A.R. 505 - for example by no. 381, where Robert le Venour, sheriff from 1293 to 1297, is summoned to answer to the King for all prises taken while he was sheriff - but by the whole evidence of the roll, certainly in regard to Lincolnshire, and also in so far as this evidence may be applicable to the nation at large. It is accordingly not unfitting that the question of prises ad opus regis should have required so large a degree of investigation, for it stands out as one of the major problems of the day.

If we now turn to the Articuli super Cartas of 1300 it is at once evident which were the most serious of the contemporary difficulties which having

1. Above pp. xix-f.

played their part in producing the crisis of 1297 it was now hoped to settle. The first article of all is that which attempts to devise a means whereby petty justice might be done from day to day in the shires, so that the smaller tenant might henceforth be spared the added injustice of having to wait for a term of years before an eyre was appointed. The second article severely regulates the imposition of extensive royal prises¹ - and if the Articuli were never enforced it is no part of the present study to do more than note the fact.

What is the relationship of the 1298 enquiry to this position? That enquiry was not an isolated event: it has already been shown that its genesis may with some reason be traced to Edward's promise in his letter of 12 August 1297, to make amends, and behind this to the general situation which had produced the letter. Looking forward to 1300, it cannot with truth be said that the enquiry was in any way a direct cause of the promulgation of the Articuli, for it was itself, like the Articuli, a symptom of the travail of the times. What can be said is that its very existence as a historical fact, apart from its recorded results, is a witness to the necessity for Article I of the Articuli, and that its recorded results, at least for Lincolnshire,

1. Bémont, ^(Chartes) Op.cit., pp. 100-103

in their emphasis on prises ad opus regis, reveal the urgent need for Article II. Thus the place of the 1298 enquiry appears to be that of a pointer, barbed with a sharp reminder that all was not well with the body politic, to the attempted reforms of the Articuli of 1300. It is in this way that the affairs of rural Lincolnshire during the war years 1294-7, as revealed in A.R. 505, become linked with the developing administration and constitution of England.

last years of the thirteenth century
 Privat's Latin text of the original
 Cotton Latin text of the original
 actual date is uncertain
 Cotton's and Privat's versions
 which the articles were drawn from
 states that articles were drawn from
 of the articles themselves, and that
 altogether.

Cotton's version

Isabelle's letter to the king
 le garnissement de son royaume
 fu par ses seignurs et barons
 assigne en conseil de nobles.

(1) Privat, p. 280. The text of the
 archiepiscopal letter, which
 contains the articles, is
 drawn from the original
 text, of an edition of the
 text, corrected by Privat.

(2) B. Cotton, pp. 280-1.

APPENDIX I.

I. THE BARONIAL PROTEST: THE MANIFESTO OF THE EARLS MARSHAL AND CONSTABLE

The articles of this manifesto do not exist in any official version; they are known only unofficially through the chroniclers who have preserved them. There are versions of them both in French and Latin: I use Bartholomew Cotton's French text because of Cotton's proved accuracy for the last years of the thirteenth century, and Nicholas Trivet's Latin one for purposes of comparison. Cotton dates the manifesto 7 July 1297, but the actual date is uncertain.

The main differences in form as between Cotton's and Trivet's versions lie in the order in which the articles are arranged, and in the circumstance that whereas Trivet gives a preanble as part of the articles themselves, Cotton leaves it out
(1)
altogether.

(2)

Cotton's version:

Isemble a tute la communaute de la terre, ke le garnissement ke fet lur fu par bref le roy, ne fu pas assez suffisaunt, pur ceo kyl ny avoyt nul genteyn lu assigee ne especefyne, ou il deyvent aler;

(1) Trivet, p. 360: 'Haec sunt nocumenta quae archiepiscopi, episcopi, abbates, priores, comites, barones et tota terrae communitas monstrant domino nostro regi, et humiliter rogant eum, ut ea ad honorem et saluationem populi sui velit corrigere et emendare.'

(2) B. Cott., pp. 325 - 7.

kar surlum le lu covent fere purveiaunce, et puis-
sent aver, sen le quel il deussent la fere le
service ou non.

Pur ceo ke dit est commounalment ke nostre
seignior le roy vout passer en Flaundres, ayns est
a tote la communalte de la terre, qe la ne deyvent
nule service fere, pur ceo ke eus, ne lur predeces-
sirs, ne lur auncestres unkes en cele terre service
ne firent; et tut fust il issint ke il deussent la
u aliurs service fere, il ne avoyent pas poer del
fere, pur ceo ke il sunt greves de diverses
talliages et diverses prises de furment, de aveyne,
bres, leynes, quirs, boefs, vaches, chars sales,
saunz dener paer, dount il duyssent aver este
meyntenuz e sustenuz.

Idient estre co ke ayde ne luy ne purrunt fere
pur la poverte quil sunt eyns par les tayliages et
les prises avaunt dites, kar il ne unt apeyne dount
il se poent sustenir ne lur terres gayngner.

Estre ceo la communaute de la terre est mut
grave, ke il ne sunt mye menez sulum la ley e les
custumes de la terre, par quels eus e lur auncestres
avaunt eus soleyent estre menez, ne il ne unt lur
fraunchises, les quels soleynt aver, messunt mys
hors voluntrifment, par quey il se teynent durement
grevez.

Estre ceo clers e lays sunt mut grevez de ceo
kil soleynt estre menez sulom les poyns de la grant
chartre, le quels poyns sunt plus trelessez, la
quel chose est graunt damage al poeple e grant peril
a ceus ke ne volunt garder, par quoy il prient a
nostre seygnor le roy, quil voylle ke ceste chose
seyt adresce, al honur de luy e al sauvacyun de
son poeple. Pour ceo ke la communalte de la terre
veut le honur et la salvacyon nostre segnur le roy,
sicom il deyvent voler, ne lur semble pas ke ceo
serroyt pas a luy ne pru ne honur de passer en
Flaundres, sil ne fust pas enseure pur ly et pur sa
gent, ke il ne entendent quil seyt uncore. E ausi
pur la terre de Escoce, que se comence de lever en
contre luy taunt com il est en terre, et ben unt
entenduz quil freyent en plus malveyse manere syl
seussent quil feust la mer passez; e ne mye soulement
eus, mes autres terres ke ne sunt pas uncore bien
afermez.

Tote la communalte de la terre se sentent dure-
ment grevez de la maltoute de leynes ke est si
grevouise a checon sak xl. sous de leyne entere, et
de leyne debruse del sak v. mars, pur ceo ke la
leyne/

leyne d'Engleterre est apoy a la meyte a la value de tute la terre, par unt la maltoute amunte apoy al quint a la value de tute la terre, par cele prise. Estre ceo tote la communalte de la terre se sentent demenez e grevez de lassise de la foreste, que ne mye garde si com ele soleyt. Estre ceo en arere ne la chartre de la foreste nudour, mes unt fest voluntrif prises et grevouses rauncons hors del assise autrement ke ne soleyent fere.

(1)

Trivet's version.

In primis videtur toti communitati terre, quod premonitio facta eis per breue domini nostri regis non erat satis sufficiens, quia non exprimebatur certus locus quo debebant ire, qui secundum locum oportebat facere providentiam, et pecuniam habere siue debere~~pt~~ seruitium facere siue non; et quia dictum est communiter, quod dominus noster vult transire in Flandriam, videtur toti communitati, quod ibi non debent aliquod seruitium facere, quia nec ipsi nec predecessores seu progenitores unquam fecerunt seruitium in terra illa: et quamvis ita esset quod debent ibi seruitium facere, uel alibi, tamen non habent facultatem faciendi, quia nimis afflicti sunt per diuersa tallagia, auxilia, prisas videlicet de auenis, frumentis, braseo, lanis, coriis, bobus, vaccis, carnibus salsis, sine solucione alicuius denarii, de quibus debuerant se sustentasse.

Praeter hoc dicunt quod auxilium facere non possunt propter paupertatem, in qua sunt propter tallagia et prisas antedictas; quia vix habent unde se sustentent, et multi sunt qui nullam sustentationem habent, nec terras suas colere possunt.

Praeter hoc, tota communitas terre sentit se valde grauata, quia non tractatur secundum quas tractari antecessores sui solebant, nec habent libertates quas solebant habere, sed voluntarie excluduntur.

Sentiunt se etiam multum grauatos super hoc, quod solebant tractari secundum articulos contentos in Magna Carta, cuius articuli omnes sunt omissi in maius damnum populi. Propter quod rogant dominum nostrum regem, quod velit ista corrigere ad honorem suum et saluationem populi sui.

Praeter hec, communitas terre sentit nimis se grauata/

grauatam de assisa forestae, quae non est custodita sicut consuevit, nec Charta Forestae observatur, sed fiunt attachiaménta pro libitu extra assisam aliter quam fieri solebant.

Preterea tota communitas sentit se grauatam de vectigali lanarum, quod nimis est onerosum; videlicet de quolibet sacco quadraginta solidos, et de lana fracta de quolibet sacco septem marcas. Lana enim Angliae ascendit fere ad valorem medietatis totius terre; et vectigal, quod inde soluitur, ascendit ad quintam partem valoris totius terre.

Quia vero communitas optet honorem et salutem domino nostro regi, sicut tenetur velle, non videtur eis quod sit ad bonum regis quod transeat in Flandriam, nisi plus esset assecuratus de Flandrensibus pro se et pro gente sua: et simul cum hoc propter terram Scotiae, quae rebellare incipit ipso existente in terra; et aestimabant quod peius facient, cum certificati fuerint quod rex mare transierit: nec solum pro terra Scotiae, set etiam pro terris aliis, quae non sunt adhuc modo debito stabilitae.

[1] P.R.O., Paris 2000, no. 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

[2] Hist. Brit., 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

[3] Gesta Regis Ricardi, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

II. THE ROYAL ORDINANCE AND COMMISSION
OF ENQUIRY, 4 APRIL, 1298.

THE ORDINANCE:

Two versions of this are extant, one in the
(1)
files of Parliamentary Proceedings, the other in-
(2)
scribed in the Patent Rolls. The text used is that of
Parliamentary Proceedings. The P.R.O. collection
bearing this name contains, among other things, tran-
scripts of statutes and other proceedings which are
thought to have been sent to the Chancery to have the
(3)
great seal affixed. This text differs from that of the
Patent Roll in certain respects which are indicated
in footnotes below. Only one requires mention here.
The arrangement of two justices for each county, set
forth in the Parliamentary Proceedings text, is
altered in that of the Patent Roll, where the justices
are given circuits embracing several counties. This is
the arrangement ordered in the commissions to the jus-
tices themselves and also in those sent out to the
bishops ordering the appointment of a clerk and a man
of religion to assist the justices in their circuits.
There is to be a clerk and a man of religion for each
circuit/

(1) P.R.O. Parl. Proc., file ii, No. 26

(2) Pat. Roll, 26, Ed.I., m. 21.

(3) Guiseppi, Guide to the Public Records, I, pp. 39,
64, 108.

(1)
circuit, not for each county. The Parliamentary Proceedings text of the ordinance is thus perhaps the original, and the alteration may have been made in the Chancery.

'Come le rey avant son passage vers Flandres eust volente et desir de fere redrescier e amonder les grevances faites a son pueple en nun de lui, e suz (2) ce envoiast ses lettres par tous les contees Dengleterre por ceste chose mettre en effect; Ordene est par lui e con conseil(3) qe en chescun contee seient assigne quatre, ce est asavoir deus chivalers des queus le un serra mis par lui, e lautre serra pris du conte; un clerk et un homme de religion qui seient bons e leaus e bien avises por enquerire de tous maneres de grevances, come des choses prises(4) hors de seinte Eglise, des(5) prises de laynes, peaus, quirs, blez, bestes, charz, peyssons, e de totes autres maneres des choses parmi le reaume des clers e des lais puis la gerre comencie entre le rey de Fraunce e lui(6) fust ce por garde de la mer ou en autre manere. E enquireront meismes ceaus par queus e as queus e de queu e de combien e de la value e coment e en queu manere ices prises e grevances furent faites au pueple. E ceus assignes eient plein pover de enquerire oir e terminer(7) ausi bien par office come a suite de partie. E qant la verite de ces choses serra ateinte, le quel que ce seit pur garant ou sans garant ce que serra pris sans garant seit retorne a ceux qe le damage ont receu, si le tortz fesantz eient de qui e outre ce puni por le trespas. E si il neient de quei ceaus as queus las garantz e les commissions sont venus come vyscontes, clerks assignes, baillifz e autres tiels maneres(8) de/

(1) C.C.R. 1296-1302, p. 204

(2) Pat. Roll: sur (3) P.R.: e par son conseil

(4) P.R.: the words 'en chescun contee...come des choses prises' are omitted, and this substituted: '..qe les enquerours, qe sunt assignes pur enquerre de tieu manere des grevaunces, enquerergent des choses prises hors...'

(5) P.R.: e des (6) P.R.: entre nous e le roy de Fraunce.

(7) P.R.: the words 'ceus assignez eient plein pover de enquerire oir e terminer' are omitted, and this substituted: 'e cestes choses oont e terminent'.

(8) P.R.: tieu maniere.

ccf.
de ministres, respoignent por lur sourmis qui averont
fait telz prises. E qe de ce qe serra trove pris par
garant, le roy seit certifie a ce en fera tant(1) qe
il sentendront a paie(2) par reson.'

THE COMMISSION OF ENQUIRY:

'Rex etc. dilectis et fidelibus suis A et B(3)
salutem. Cum nuper, ante transfrectacionem nostram
in Flandriam, habuerimus voluntatem et desiderium
grauamina populo regni nostri, nomine nostro facta,
facere emendari. Et super hoc miserimus litteras
nostras patentes per comitatus singulos dicti regni...(4)
ad inquirendum per sacramentum proborum et legalium
hominum de comitatibus predictis, per quos rei veritas
melius scire poterit, super huiusmodi grauaminibus:
veluti de rebus captis in ecclesiis, necnon de lanis,
pellibus, coriis, bladis, animalibus, carnibus,
piscibus et omnimodis aliis rebus, in ecclesiis et
extra, similiter captis et asportatis per comitatus
predictos, tam de clericis quam de laicis, siue pro
custodia maris uel alio modo quocunque, post guerram
inter nos et regem Francie inchoatam, et ad ea omnia
et singula audienda et terminanda tam ex officio
vobis per presentes commissio quam ad sectam cuiuslibet,
conqueri se volentes:

Et ad faciendum ulterius in premissis iuxta
formam ordinacionis per nos et concilium nostrum
inde facte, quam sigillo nostro vobis mittimus con-
signatam, et prout de iure et secundum legem et
consuetudinem regni nostri, fuerit faciendum. Et ideo
vobis mandamus quod ad certos dies et loca, quos ad
hoc prouideritis premissa faciatis in forma predicta,
saluis nobis amerciamentis et aliis ad nos inde
spectantibus. Mandauimus enim vicecomitibus nostris
comitatum predictorum quod ad certos dies et loca,
quos eis scire facietis, venire faciant coram vobis
tot et tales probos et legales homines de balliuis
suis per quos rei veritas in premissis melius scire
poterit et inquire et similiter locorum diocesanis
quod huiusmodi clericos et religiosos cum vos uel
alter vestrum eis scire feceritis uel fecerit una
vobiscum deputent ad premissa. In cuius etc. Teste
Rege apud Westm. iv. die Aprilis.(5)

(1) P.R.: e il enfra taunt.

(2) P.R.: se tendront a paie

(3) I omit the names of justices, since these vary
according to circuit.

(4) I omit the list of commissioners, whose names
appear here.

(5) Foed I., p.891. De inquirendo super grauaminibus
populo regni factis, in singulis comitatibus. The
actual commission is enrolled in Pat. Roll 26 Ed.
I in 21(C.P.R. 1292-1301, p.338) from which Reyner quotes

APPENDIX II.LIST OF SHERIFFS.

Names underlined do not occur in A.R.505.

JOHN DYNE (456), 16 October 1290 to 14 April 1293.(1). By the end of the Trinity Term 1293 he was dead. (2)

ROBERT LE VENOUR or VENUR (229,308,309,379,381, 428), 14 April 1293 (3) to 24 April 1297. Custodian of the City of Lincoln from Easter 1291, (4) when the city passed into the king's hands from those of the Earl of Lincoln, to Easter 1298, when Robert relinquished his office to William Cause. (5)

RALPH PAYNEL (1,18,84,85,86,87,152,231,243,245, 454), 24 April 1297 (6) to 16 April 1298.

RICHARD OF DRAYCOTE (27,235,381), 16 April 1298(7) to 15 October 1299.

RICHARD OF HOWELL (36), 15 October 1299 to 16 October 1300.(8)

HUGH DE BUSSEY, 16 October 1300 to 21 May 1302.(9)

-
1. P.R.O.Lists and Indexes, IX,p.78; K R.M.R.no.66,m. 53.
 2. K.R.M.R.no.66,m.34,cf.Ibid.,m.58d.
 3. K.R.M.R.no.66,m.53.
 4. Ibid.,no.64,m.19.
 5. Ibid.,no.71,m.3; L.T.R.M.R.no.69,m.6.
 6. K.R.M.R.no.70,m.60.
 7. Ibid.,no.71,m.69.
 8. P.R.O.Lists and Indexes, IX,p.78.
 9. Ibid. I have included Hugh in this list because some of his subordinates are entered in the list of bailiffs.

SUB-SHERIFF.

RICHARD OF BRINKHILL (136,138,262,267,269). (1)

LIST OF CORONERS.

WILLIAM DE COLEVILL, elected shortly before 15 April, 1293, but the sheriff testified that he had no lands in the county. (2)

JOHN FLEMMYNGE, coroner of Stamford, died about 10 May 1292. (3)

GILBERT DE HAGHAM (486). Prior to 17 Aug. 1295(4)
Juror of Calcewath in 1298.

ALEXANDER LUCAS. By 21 Oct. 1295 he was dead. (5)

-
1. Nuper subvicecomes (136), which seems to imply that he held office under Ralph Paynel (See list of Bailiffs, Introd., p. 1), but the evidence is against this. He was convicted of unjustly levying money for infantry for Wales (269); as the Welsh campaign took place in 1294-5, it looks as if Richard was sub-sheriff under Robert le Venour. This is substantiated by an entry in the Memoranda Rolls (K.R. M.R.no.70,m.52d.): Richard made a fine of £10 for a trespass of which he was convicted by John de Insula, who was hearing pleas in Lincolnshire in 1296 (L.T.R.M.R.no.68,m.47). John committed Richard to the Fleet prison, but on payment of the £10 the king pardoned him. (This entry in the Memoranda Roll is among the Communia for the Michaelmas Term 1297). Thus we can only say with safety that Richard was subsheriff under Robert le Venour.
 2. C.C.R.1288-96,p.280.
 3. Ibid.,p.230.
 4. Ibid.,p.424.
 5. Ibid.,p.437.

WALTER DE HOUTON OF GRIMSBY, prior to 9 Nov.
1296. (1)

WILLIAM OF COCKERINGTON, prior to 26 Jan. 1297,
but he seems to have been insufficiently
qualified. (2)

WILLIAM OF MANBY (143), during 1297-8 at least. (3)

HUGH SON OF RICHARD LEVESONE OF GRIMSBY. By 26
May 1298 he was dead. (4)

HUGH DE GOSHAM, Michaelmas, 1298. (5)

JOHN LE AUMONER, prior to 9 Aug. 1298: elected but
found to have no lands in Lincs. and else-
where to qualify him for office. (6)

OSBERT LE LUNG, prior to 18 Mar. 1299: already
sub-escheator of Notts, and Derby, there-
fore disqualified. (7)

LIST OF ROYAL CONSTABLES.

GEOFFREY OF BOURNE, knight (150), capital consta-
ble of Kesteven (453). The military nature
of his duties is clearly shown (428,453);
he appears to have held office in 1295 (453)
and was presumably still holding it in 1298,
since no qualification such as nuper or
quondam is set against his name.

THOMAS OF SKIDBROOK (140). Constabularius regis,
but no degree of rank is given, nor any ad-
ministrative area.

-
1. Ibid., p.497.
 2. C.C.R.1296-1302, p.145.40/- yearly of land or rents
in the county was the minimum qualification; see C.
C.R.1288-96, p.159, s.v. 'To the sheriff of Suffolk..'
 3. His approximate dates are fixed by reference to
Simon of Grebby, bailiff of Wraggoc in 1297-8; see
list of bailiffs, s.v. Simon of Grebby.
 4. C.C.R.1296-1302, p.163.
 5. L.T.R.M.R. no.70, m.60.
 6. C.C.R.1296-1302, p.171.
 7. Ibid., p.234.

LIST OF SHERIFFS' CLERKS.

1

WALTER OF GLOUCESTER. Clerk to John Dyne (456),
sheriff of Lincs. Oct.1290-Oct.1293. (2)
Walter himself apparently became sheriff of
Somerset and Dorset on 24 Jan.1293. (3)

WILLIAM OF FLINTHAM (233,340,379). Clerk to
Robert le Venour, sheriff from Oct.1293-Apr.
1297.

ROBERT OF LEVERTON, Acts for Robert le Venour as
clerk at the proffer of accounts at the
Exchequer at Easter 1296, (4) at Michaelmas
1296, (5) and at Easter 1297. (6)

WALRON LE LOU (366). Clerk probably to Ralph Pay-
nel, sheriff from Apr.1297-Apr.1298. ~~But~~
~~see above.~~

ROGER OF CLAPTON. Acts for Ralph Paynel as clerk
at the Exchequer on 7 May 1297. (7)

WILLIAM OF BIBBESWORTH (235,356,367). Clerk to
Richard of Draycote (235), sheriff from
April 1298 to 1299.

8

HENRY OF STOKE. Clerk to Richard of Howell (36),
sheriff, 1299-1300.

-
1. K.R.M.R.no.65,m.1.
 2. Dates of sheriffs' tenures are in P.R.O.Index, IX,
esp.p.78.
 3. K.R.M.R.no.66,m.53. The entry is interesting: Rex..
..commisit Waltero de Gloucestre comitatus Sumerset
et Dorset cum pert' custodiendo quamdiu regi plac'..
..Et Philippus de Kyme, baro, Simon de Kyme, Willel-
mus de Hundon' et Iohannes de Busthorp' milites et
omnes de comitatu Linc' manuceperunt quod dictus
Walterus bene et fideliter seruiet reg'... Why the
Lincs. bonafides if this were not the same Walter
who was formerly clerk to John Dyne?
 4. K.R.M.R.no.69,m.2; L.T.R.M.R.no.67,m.3.
 5. L.T.R.M.R.no.68,m.1.
 6. Ibid.,m.35.
 - 7.K.R.M.R.no.70,m.75d.
 8. A.R.506,m.1.

LIST OF BAILIFFS ERRANT.

Adam of Gayton (150). Balliuus errans.

William of Ingleton (27,350,351,380,426). Balliuus itinerans. (27,380) (1) In 1300 he was appointed bailiff of Kesteven. (2)

LIST OF BAILIFFS OF RIDINGS AND WAPENTAKES.

Names which do not occur in A.R.805 are given in italics. Entry numbers, in round brackets, are only given when no explanatory note is necessary. The fact of the under-mentioned persons being bailiffs is rarely in question; what is doubtful is, occasionally, their administrative area, but very specially under what sheriff or sheriffs they served, and it is this circumstance that accounts for most of the query marks.

The only constant units are the territorial ones of the 'part' or riding, and the wapentake, and these are made the basis of the list; and in order not to clog it, footnotes are given in a body at the end of it. These include, where necessary, notes explaining the collation which has enabled a man's place to be either approximately or certainly fixed.

-
1. He was accused of taking money from the collectors of the 11th (351), and in this entry is merely called balliuus. The 11th was collected in 1295-6, so that William was at least a bailiff under Robert le Venour, sheriff from 1293-7, if not a bailiff errant, his rank under Richard of Draycote, sheriff in 1298-9 (27)
 2. A.R.1322,m.22.

1. PARTS OF KESTEVEN.

Capital Bailiffs:

Under John Dyne, sheriff 16.x.1290 - 14.iv.1293:

¹
ADAM...Under Robert le Venour, sheriff 14.iv.1293 - 24.
iv.,.297.²
?WILLIAM LE WAYTE.Under Ralph Paynel. sheriff 24.iv.1297 - 16.iv.
1298:³
?THOMAS OF EASTON.Under Richard of Draycote, sheriff 16.iv.1298 -
15.x.1299:⁴
?WALTER EST.Under Richard of Howell, sheriff 15.x.1299 - 16.
x.1300:⁵
ELIAS HERewardUnder Hugh de Bussey, sheriff 16.x.1300 - 21.v.
1302:⁶
WILLIAM OF INGLETON.

Bailiffs and Sub-bailiffs of wapentakes; where both
bailiffs and sub-bailiffs occur, I distinguished them
respectively thus -- (B), (SB):

In Boothby and Graffoe:

⁷
JOHN OF STUBTON. (B))⁸
ROBERT OF WYVILLE. (SB)) Under Richard of
Draycote.⁹
? ROGER OF THORPE. (B) Graffoe, under Rich.
of Howell.

In Loveden:

¹⁰
JOHN OF PATTISHALL. (B))¹⁰
ROBERT FLAVVEL. (SB)) Under Richard of
Draycote.

In Flaxwell and Langoe:

11
 ?IVO OF BILLINGHAY, (B) er)
 12) Under Robert le
 ?JOHN OF SWINSTEAD. (B() Venour.
 11
 IVO OF BILLINGHAY. (B))
 13 (SB))
 ALAN OF TALLINGTON.)
 12) Under Ralph Pay-
 ?JOHN OF SWINSTEAD. (SB)) nel.
 JOHN KYBOY (69) (B))
 NICHOLAS OF RYHALL (70) (SB)) Under Richard
) of Draycote.
 RALPH PACY (71) SB)
 7
 JOHN OF STUBTON. B Under Hugh de Bussey.

In Aswardhurn:

10
 ?JOHN OF PATTISHALL. B) Under
 10) Robert
 ?THOMAS SON OF ALAN OF KIRBY. SB) le Ven-
 our.
 14
 ALEXANDER GOLDERON. B Under Ralph Paynel.
 HUGH BARDOLF (72) B)
) Under Richard of
 WILLIAM REYNEVILLE (73) SB) Draycote.
 15
RALPH PYLAT B Under Hugh de Bussey.

In Winnibriggs and Threo:

16
 ROBERT PYGOUN. B Under Robert le Venour.
 2
 WILLIAM LE WAYTE. B)
 17) Under Ralph Paynel.
 WILLIAM LAMBETOTH. SB)
 STEPHEN PUNNE (23,393) B)
)
 WILLIAM COSTANTIN (65) SB) Under Richard of
) Draycote.
 WALTER OF HOUGHTON (66) SB)

In Beltisloe and Ness:

?THOMAS OF EASTON, ³ Beltisloe, B)
¹⁸) Under
CLEMENT OF MELTON, Ness, B) John Dyne
³)
 ?THOMAS OF EASTON. B)
)
 ?ADAM LE LONG SB)
)
 ?HENRY FYCHET SB) ¹⁹) Under Robert le
) Venour.
)
 ?THOMAS OF HANVILLE SB)
³)
 THOMAS OF EASTON. B)
) Under
 ADAM, HENRY, THOMAS, as above. SB) Ralph
) Paynel.
³)
 THOMAS OF EASTON. B)
) Under
 ADAM, HENRY, THOMAS, as above. SB) Richard
) of Dray-
) cote.
²⁰)
RICHARD SAMPSON. Ness, B Under Richard of
²¹) Howell.
ANDREW OF HONEMANBY. Beltisloe, B Under
 Hugh de Bussey.

In Aveland:

⁴)
 HUGH OF BRACEBY. B)
⁴)
 WILLIAM OF PYSELEY. SB) Under Richard
⁴) of Draycote.
 GEOFFREY OF STAPLEFORD. SB)

2. PARTS OF HOLLAND.

Capital Bailiffs:

Under John Dyne, 1290-3:

Not known.

Under Robert le Venour, 1293-7:

Not known.

Under Ralph Paynel, 1297-8:

22

?NIGEL LE MARCHAUNT.

Under Richard of Draycote, 1298-9:

23

JOHN EVERARD (1298).

24

HENRY OF HAKETHORN (1299).

25

WILLIAM OF SPALDING (1299).

Under Richard of Howell, 1299-1300:

25

WILLIAM OF SPALDING.

Under Hugh de Bussey, 1300-02:

25

WILLIAM OF SPALDING.

Bailiffs and Sub-bailiffs of wapentakes:

In Kirton:

26

?THOMAS OF WIGTOFT. B Under John Dyne.

27

NIGEL THE CHAPMAN OF DONINGTON. B Under
Ralph Paynel.

23

JOHN EVERARD, B

) Under Richard
) of Draycote.

EVERARD OF CAUMPDENE (224) SB

In Elloe:

23

JOHN EVERARD. B Under Richard of Draycote.

28

ADAM BENAME. B Under Hugh de Bussey.

In Skirbeck:

29

?JOHN LE DONNE. B

29

?HENRY THEDOM. SB

29

? ROBERT OF WRANGLE SB)

) Under Robert le
) Venour

29

? JOHN LE DONNE. B.)
 ?HENRY, ? ROBERT, as above, SB) Under Ralph
 Paynel.

WILLIAM SON OF ALEX. THE CLERK (104,226)B)
 ADAM PAKKEHERNEYS (106) SB) 1298,
 WILLIAM S. OF BRICIUS (105) SB) under
 GILBERT BELLE.30 SB) Richard
) of
) Draycote.
 ALAN OF NELOND (NOVA TERRA) (28,107)SB,Clerk)

24

?HENRY OF HAKETHORN. B)
 ? HENRY THEDOM. 29 SB) 1299, under Richard of
 Draycote.

? HENRY OF HAKETHORN. 24 B under Richard of Howell.

24

HENRY OF HAKETHORN. B)
 ?NICHOLAS CLERK. 31 B.) under Hugh de Bussey.

?NICHOLAS CLERK. 31 SB))
 ?GILBERT BELLE. 30 SB) under Hugh de Bussey.

3. PARTS OF LINDSEY (NORTH RIDING).

Capital Bailiffs:

Under John Dyne, 1290 - 93:

Not known.

Under Robert le Venour, 1293 - 7:

HENRY OF NEWTON. 32

Under Ralph Paynel, 1297 -8:

HENRY OF NEWTON. 32

Under Richard of Draycote, 1298-9:

HENRY OF NEWTON.³²

Under Richard of Howell, 1299-1300:³³

SIMON OF CROXTON.³⁴

Under Hugh de Bussey, 1300 - 02:

not known.

Bauliffs and Sub-bailiffs of wapentakes:

In Yarborough:

HUGH OF PICKERING.	³⁵	B)	
JOHN OF NETTLETON(4,102,202 SB))	under
JOHN OF BILSFIELD(146)SB)	Rich.
)	of
)	Dray-
)	cote.

?HUGH OF PICKERING³³ B Under Richard of Howell

HUGH OF PICKERING.³⁵ B Under Hugh de Bussey

In Walshcroft:

?RALPH OF CENDALE(SANDALE)³⁶ B Under Ralph Paynel.

RALPH OF CENDALE (SANDALE)³⁶ B Under Richard of Draycote.

In Haverstoe:³⁷

?WALTER WELMAD. B. Under Robert le Venour.

ROBERT OF BEELSBY.³⁸ B Under Richard of Draycote.

? ROBERT OF BEELSBY.³³ B Under Richard of Howell.

ROBERT OF BEELSBY.³⁸ B Under Hugh de Bussey.

In Bradley:

WALTER WELMAD.³⁷ B Under Richard of Draycote.

?WALTER WELMAD.³³ B Under Richard of Howell.

WALTER WELMAD.³⁷ B Under Hugh de Bussey

In Ludborough:

GEOFFREY TOTEL.³⁹ B Under John Dyne.

HUGH OF HABROUGH.⁴⁰ SB Under Richard of Draycote.

4. PARTS OF LINDSEY (SOUGH RIDING).⁴¹

Capital Bailiffs:

Under John Dyne, 1290-93:

not known.

Under Robert le Venour, 1293-7:

? THOMAS OF SUTTERBY.⁴²

Under Ralph Paynel, 1297-8:

? WILLIAM DE PHANNEYE,⁴³

? WILLIAM LOSEWARD.⁴⁴

Under Richard of Draycote, 1298-9:

⁴⁵
HENRY OF WALMESFORD.

Under Richard of Howell, 1299-1300:

ROGER OF BRINKHILL.⁴⁶

Under Hugh de Bussey, 1300-02:

Not known.

Bailiffs and Sub-bailiffs of wapentakes:

In Wraggoe:

?JOHN OF EDLINGTON.⁴² B Under Robert le Venour.

celkiii.

SIMON OF GREBBY. 47 B)
 WILLIAM FAUNT.(143)SB) Under Ralph
 Paynel.

In Gartree:

WILLIAM OF HEMINGBY. 48 B)
 ?WILLIAM OF NORTHEY. 49 SB) Under Robert
 le Venour.

WILLIAM OF NORTHEY. 49 B Under Ralph Paynel
 GILBERT MALET (94). B. Under Richard of Draycote.

In Louthesk:

HUGH OF ORMESBY. 50 B Under Richard of Draycote.

In Calcewath:

GILBERT LOSEWARD. 51 B)
 ?WILLIAM WANTHORN. 52 SB) Under
 Richard of
 Draycote.

?GILBERT LOSEWARD. 51 B Under Richard of
 Howell.

GILBERT LOSEWARD. 51 B Under Hugh de Bussey.

In Hill:

WALTER OF WINCEBY (93). B Under Richard of Draycote

In Candleshoe:

?HUGH AMORY. 53 B)
SIMON S. OF GWYDO OF WAINFLEET. 53 SB) under
) Robert
) le
 SIMON S. OF RANULPH OF GREBBY(162) SB Venour
 54
 ?THOMAS ANGEVIN. B Under Ralph Paynel.

cclxxiii.

SIMON OF GREBBY. 47 B)
 WILLIAM FAUNT.(143)SB) Under Ralph
 Paynel.

In Gartree:

WILLIAM OF HEMINGBY. 48 B)
 ?WILLIAM OF NORTHEY. 49 SB) Under Robert
 le Venour.

WILLIAM OF NORTHEY. 49 B Under Ralph Paynel
 GILBERT MALET (94). B. Under Richard of Draycote.

In Louthesk:

HUGH OF ORMESBY. 50 B Under Richard of Draycote.

In Calcewath:

GILBERT LOSEWARD. 51 B)
 ?WILLIAM WANTHORN. 52 SB) Under
 Richard of
 Draycote.

?GILBERT LOSEWARD. 51 B Under Richard of
 Howell.

GILBERT LOSEWARD. 51 B Under Hugh de Bussey.

In Hill:

WALTER OF WINCEBY (93). B Under Richard of Draycote

In Candleshoe:

?HUGH AMORY. 53 B)
SIMON S. OF GWYDO OF WAINFLEET. 53 SB) under
 Robert
 le
 Venour
 SIMON S. OF RANULPH OF GREBBY(162) SB
 ?THOMAS ANGEVIN. 54 B Under Ralph Paynel.

HUGH AMORY. 53
 B. 47
 SIMON OF GREBBY. SB } Under Richard
 of Draycote.

Note: Horncastle and Bolingbroke wapentakes are not included in this list, because they were in seignorial hands, except a part of Horncastle, which was administered with Gartree (see A.R. 505, no. 483).

5. PARTS OF LINDSEY (WEST RIDING) 55

Capital Bailiffs:

Under John Dyne, 1290-93:

Not Known.

Under Robert le Venour, 1293-7:

Not known.

Under Ralph Paynel, 1297-8:

RALPH OF TORKSEY. 56

Under Richard of Draycote, 1298-9:

RALPH NOTEBROUN. 57

Under Richard of Howell, 1299-1300:

Not known.

Under Hugh de Bussey, 1300-02:

Not known.

Bailiffs and Sub-bailiffs of wapentakes:

In Corringham:

WILLIAM OF HELPETHORPE(86, cf.13)B Under Ralph
Paynel.

NIGEL OF BLYBOROUGH (82,cf.9)B Under Richard of
Draycote.

In Manley:

RALPH OF THORPE-BY-STOWE (87) B Under Ralph
Paynel.

58
DIONYSIUS OF NEWTON. B Under Richard of
Draycote.

58
?DIONYSIUS OF NEWTON. B Under Richard of Howell.

In Aslaoe:

HUGH OF TRESWELL (80) B. Under Richard of
Draycote.

In Lawress:

?WILLIAM OF BEVERCOTE (46) B Under Robert le Venour.

THOMAS OF RAMPTON (85,cf.12)B Under Ralph
Paynel.

WILLIAM OF LAFFORD (83,cf.10) B. Under
Richard of
Draycote.

In Well:

59
NICHOLAS OF NEWARK. B Under Richard of
Draycote.

Foot-notes to the above list:

1. A.R. 1286, m. 52. The full name is obliterated.
2. William le Wayte: it is not certain that William was a capital bailiff. He is most often called bailiff of Winnibriggs(8,79,377),

but collation with Robert Pygoun, also bailiff of Winnibriggs, shows that while Robert is called quondam twice and nuper once, William is quondam only once and nuper twice. Further, Robert never acted outside Winnibriggs (no.242 suggests that he did, but one of the plaintiffs, William Bolour, was a Winnibriggs man, see Subs. Roll (Lay), 135/2 m.5): William le Wayte apparently did: the Walter Payn summoned to answer to him in no. 416 was a Loveden man living at Fulbeck, Loveden (A.R.1320,m.25): and Richard of Corby seems to have been a Beltisloe man (385). The only dated entry referring to William le Wayte is no.389: on 27 July 1295 he committed irregularities at the wapentake court at Grantham. None of this evidence proves that he was other than merely bailiff of Winnibriggs but in 1294 he and another went bail to have one Serkim Marbot, a German merchant, at Westminster, before the Exchequer (K.R.M.R. no. 68,m.20d). This was while Robert le Venour was sheriff; therefore William was one of his bailiffs, and it would seem more likely for a capital than for a mere wapentake bailiff to be in a position to do what William did in the matter of Serkim, especially when, in 1298, we find him able to make the very considerable fine of £10 (382). Thus it is possible that he was capital bailiff of Kesteven under Robert le Venour. If so, he stepped down in rank under the next sheriff(8,377), where he is nuper), a not impossible occurrence.

3. Thomas of Easton: he seems to have had a long official career, of which only some of the details are certain. There is a hint that he was one of John Dyne's bailiffs(456). Thomas in this entry says that he levied money for the green wax from the plaintiff, on the order of John Dyne, then sheriff, and that it was before the war. It is denied that the levy was made before the war, but the implication that Thomas was a bailiff of Dyne's is not denied, as it probably would have been if false; we may thus assume that it was so. The jurors' statement that the levy was made after the war began is vague, but suggests that at least it was not long after, that is, while Robert le Venour was sheriff. There is

further evidence in support of this, but it is unfortunately not conclusive. In the accounts of John de Mortuo Mari's estates at Greatford in Ness, for the year 1296-7, this item appears among the expensi forinseci:

In dono Balliuo Domini Regis pro respectu habendo ij.s. (Min.Accts. 910/8,m.l.) The king's bailiff, if not a bailiff errant, would probably be the bailiff of Ness -- it might depend on the reason for respectu habendo. The time falls within Robert le Venour's term as sheriff, and if the bailiff of Ness is concerned, he was quite possibly Thomas of Easton, especially in view of the numerous examples in the above list of lengthy tenures of office by bailiffs. Under the next sheriff, Ralph Paynel, Thomas remained bailiff of Beltisloe and Ness(231), as he did under Ralph's successor, Richard of Draycote (237, 239, 314, 370, 371 etc.). But he is once called bailiff of Kesteven (151) and one other entry (443) seems to substantiate this. These two entries are quite isolated, and there is no time-qualification. If the scribe made no mistake, we may well ask when was Thomas a capital bailiff? Comparison of his record with that of Walter Est (see note 4), who is not called a capital bailiff, shows that Walter's activities were in fact much more those of one than Thomas's. I incline to the view, though I cannot prove it, that if Thomas was a capital bailiff at all it was under Ralph Paynel, not Richard of Draycote, for Walter Est's regime seems to fall most naturally under Richard.

4. Walter Est: as no time-qualification is applied to him, we may assume that he was not in office before the time of Richard of Draycote (1298-9). What his office was is less certain; he seems to have been a capital bailiff, though nowhere actually called such. The evidence for this is not conclusive, but rather, suggestive: his vicitms come from six of the eleven Kesteven wapentakes -- from Aswardhurn (347-8, 356-8). Threo (356), Flaxwell(408), Langoe(438), Aveland (444,447) and Ness (447) -- and all these wapentakes have bailiffs of their own. These circumstances point to a capital authority for Walter, but against them is to be set the fact that a person called A.B. of So-and-so is not necessarily still living there. Two sub-bailiffs are mentioned as his, Walter of Pyseley(67) and Geoffrey of Stapleford(68,451), both of Aveland and neither called anything but sub-bailiff.

But there is also a bailiff of Aveland, apparently in office at the same time - Hugh of Brace⁴ by (205). This fits in with the normal arrangement of the official hierarchy, except that we should expect to find the two subbailiffs alluded to as Hugh's, not Walter's. This irregularity is not conclusive, however, and I have regarded Walter as the capital bailiff, Hugh as his subordinate in Aveland and the two subbailiffs as Hugh's underlings.

5. A.R.1316,m.27d. The date is Oct.28,1300, less than a fortnight after Richard of Howell terminated his shrievalty. But Elias was probably one of his bailiffs, otherwise his appointment would have been almost too recent for him to have had time to commit any irregularities!
6. A.R.1322,m.22,22d. See also list of bailiffs errant, p.
7. John of Stubton; there seems little doubt as to his administrative area or date of office, in the absence of time-qualifications. In 1301 he reappears as bailiff of Langoe, and presumably also of Flaxwell (A.R.1320,m.28d.).
8. Robert of Wyville: it is probably safe to assume that he was John of Stubton's subbailiff in Boothby and Graffoe, since there is so clearly a close connection between the two men in these wapentakes (75,212,213).
9. A.R.1316,m.24d. The remark regarding Elias Hereward (note 5) would also hold good for Roger.
10. John of Pattishall: of the six entries relating to him four, taken together (20,56,74,214) show him to have been bailiff of Loveden in 1298, since no time-qualification is given him; and for this period he has also a subbailiff, Robert Flavvel (74,214). But one entry (339) suggests that he was perhaps bailiff of Aswardhurn at an earlier date. Money was levied from Kirby Laythorpe in Aswardhurn for infantry against Wales and paid to John by Thomas son of Alan of Kirby, who levied it. This was probably done at the time of the Welsh campaign, 1294-5, when Robert le Venour was sheriff of Lincs.; and suggests that John was in fact bailiff of Aswardhurn in Robert's time. Thomas may have been John's subbailiff or he may have been constable of the vill of Kirby. There is other evidence in support of John's connection with Aswardhurn. He is called John of Pattishall of Heckington (Aswardhurn) in 1294 (Fines and

Amercements, 119, no.27,m.4); Pattishall is in Northants, and it is not likely that two men named John came thence to settle in Lincs. at the same time, so that there is justification for considering John of Pattishall of Heckington and John of Pattishall the bailiff to be ~~the~~ same person. If so, an interesting point emerges. John, possibly bailiff of Aswardhurn till April 1297, when Robert le Venour ended his shrievalty and certainly bailiff of Loveden inn 1298 under Richard of Draycote, was also a subcollector of the ninth in Aswardhurn in the autumn of 1297 (Subs.Roll (Lay) 135/6,m.1.). This is not so unlikely as it appears: we do not know who was bailiff of Loveden under Ralph Paynel, sheriff at this date, but John certainly was not bailiff of Aswardhurn then; and there is nothing in the formae taxacionis to prevent a sometime bailiff from acting as a subtaxor if not otherwise employed.

11. Ivo of Billingham: he is twice called nuper, once quondam, and once merely bailluus; and there is no doubt that he administered Flaxwell and Langoe wapentakes. The two entries where he is nuper (419,424), collated with the one in which his actions are dated (399) show that he was bailiff under Ralph Paynel. The one quondam entry (77) may be collated with a group of entries concerning the seizure of lay fees of clergy into the king's hands (401,404,439,440). It was on 12 February 1297 that Edward I ordered the sheriffs to take into the royal hands all the lay fees of all the clergy (B.Cott.,320; C.C.R.1296-1302,p.14). As these demands were acceded to by individuals, their fees were restored, together with royal letters of protection. The Patent Rolls contain long lists of such protections, and after March 1, the lands could be bought back (C.P.R.p.239, of Ibid.,pp260-86). By 8 April most of the protections had been issued, and after that date the lists dwindle to a very few names. The A.R.505 complaints referred to concern Ivo's seizure of lay fees in defiance of protection, but no dates are given, nor can I find any of the clergy involved in the C.P.R. lists. But it is possible that some of the A.R.505 plaintiffs had received their protections and been molested by Ivo before Easter 1297 (April 14.). If so, Ivo must have been bailiff of Flaxwell and Langoe under Robert le Venour, since Ralph Paynel, under whom we know

Ivo served, was not appointed sheriff until 24 April (see list of sheriffs, p.); and his bailiffs would be appointed after that date. This possibility is strengthened, if only a little, by the quondam of entry 77. On these grounds I suggest that Ivo was perhaps also bailiff of Flaxwell and Langoe under Robert le Venour. As to the one entry (147) where he is merely called bailiff, this is probably a clerical mistake. It implies that he continued in office under Richard of Draycote, but there is a bailiff (see John Kyboy, entry 69) of Flaxwell and Langoe, with his own subbailiffs, who clearly served under Richard.

12. John of Swinstead: his real position is doubtful. It seems certain that he was a royal bailiff of some kind in Flaxwell and Langoe (421, 423); moreover Robert de la Bourhalle, one of the plaintiffs (406-7) was a Flaxwell landholder (F.A.iii, p.155). John himself is once called nuper balliuis regis (421), and once simply bailiff (423). This latter statement can probably be disregarded, see John Kyboy (69) and his subbailiffs, but the nuper balliuis regis raises questions. The nuper may refer to Ralph Paynel's shrievalty, but if John was only a subbailiff, it would be unusual, though technically correct, to dignify him with the titla balliuis regis. There seem to be two possibilities, one, that he was Ivo of Billington's subbailiff, together with Alan of Tallington (note 13); the other that he, and not Ivo, was bailiff of Flaxwell under Robert le Venour, though in such a case one would have expected quondam rather than nuper. The matter is further complicated by the evidence of no.423, where John holds a special wapentake court called Stolen-wapentake. Hence he is only tentatively entered in the list.

13. Alan of Tallington: there is no doubt that he was subbailiff of Flaxwell and Langoe under Ivo of Billington, though the latter fact is never stated. It is supported, however, by two entries (397, 402) which concern prizes of livestock for the royal larder. The important year for prizes of this kind was 1297 (see table of burdens, p. li-x), the very year when we know Ivo to have been bailiff of Flaxwell and Langoe. Moreover, the next bailiff had his own subbailiffs, of whom Alan was not one.

14. Alexander Golderon (Alexander of Aswarby, 5): once called nuper (5), once merely balliuus (359) of Aswardhurn. The nuper is probably decisive, in view of the existence of another bailiff of Aswardhurn with no time-qualification (Hugh Bardolf, 72). This fixes Alexander's term of office under Ralph Paynel.

15. A.R.1322,m.19d.

16. Robert Pygoun: there is little doubt that he was bailiff of Winnibriggs under Robert le Venour. The date, October 1294, in entry 325; the facts of entry 430, together with the two occasions when he is called quondam (6,78), seem to prove this. The statement dum fuit balliuus regis (363) is proof that he was not bailiff at the time of the enquiry in 1298, and this is supported by the evidence regarding Stephen Punne (23,393). Robert is once called bailiff with no time-qualification, but this is probably a mistake (378); and is once called nuper balliuus. This also may be a mistake, see William le Wayte, note 2, but it is possible that Robert was succeeded by William during, not at the beginning of, Ralph Paynel's shrievalty. Robert had apparently moved for some time in official circles; as early as 1291 we find him going bail for one Henry, bailiff of Grantham (A.R.1286,m.52).

17. William Lambetoth: clearly subbailiff to William le Wayte (326-7). But he is also called nuper balliuus of Winnibriggs (57). The nuper adds weight to the evidence of 326-7, but balliuus is somewhat unusual in conjunction with the sheriff's affirmation that William Lambetoth had nothing -- i.e. no possessions -- by which he could be attached. This was more likely to be true of a subbailiff than of a bailiff.

18. K.R.M.R.no.66,m.62d. Bailiff of Stamford and Ness.

19. Adam le Lung, Henry Fychet, Thomas of Hanville: subbailiffs to Thomas of Easton (note 3), and Thomas of Hanville was also his clerk. The only certain evidence in A.R.505 is that these men held their office under Easton in the time of Richard of Draycote, but it is not impossible, since Thomas of Easton seems to have had so long a term

as bailiff, that they were with him from the beginning of it.

20. A.R.506,m.8.

21. A.R.1320,m.27d.

22. Nigel the Merchant: once referred to only in A.R.505 (19), and then called king's bailiff. His offence is committed in Kirton, Holland, and dated 1 October 1297, in Ralph Paynel's shrievalty. It is possible, though not certain, that he was bailiff of Holland, since there is also mentioned a nuper bailiff of Kirton; and I have therefore tentatively entered him as bailiff of Holland.

23. John Everard: he is only once called bailiff of Holland (240) but twice bailiff of Elloe and Kirton (103,222); and two of his offences are dated, 23 June 1298 (240) and 24 June of the same year (372). He was thus one of Richard of Draycote's bailiffs; and though sent to gaol, where he actually spent some time, at the end of 1298, he was still bailiff of Kirton on 3 October 1299, just before Richard of Draycote ended his shrievalty (A.R.506,m.5). It is worth noting that no bailiffs other than John are given for Elloe and Kirton during John's time. On the basis of A.R.505, therefore, I have entered John both as capital bailiff of Holland, which he seems to have been, and also as bailiff of Elloe and Kirton. But in the former capacity he seems to have been superseded by Henry of Hakethorn (note 24) sometime during 1299, while retaining the bailiwick of Kirton.

24. Henry of Hakethorn: A.R.1320,m.29d. Previously he had been bailiff of Holland, A.R.506,m.6. This membrane is headed Assizes taken at...Stamford, 3 October 1299, about a fortnight before Richard of Howell was appointed sheriff. It would seem that Henry succeeded John Everard (note 23) as capital bailiff of Holland after the 1298 enquiry, while Richard of Draycote was still sheriff. But William of Spalding (note 25) was also bailiff of Holland in 1299. As he is never called anything else in the records I have examined, while Henry is later called bailiff of Skirbeck, it is possible that he was not bailiff of Holland at all, though I have tentatively shown him as such.

He was certainly bailiff of Skirbeck under Hugh de Bussey (A.R.1320,m.29d.), and it is likely, though unproved, that he also held this wapentake under the intervening sheróff, Richard of Howell.

25. William of Spalding: Bailiff of Holland under Richard of Draycote (A.R.506,m.10); under Richard of Howell (A.R.1322,m.20d) and under Hugh de Bussey (A.R.1320,m.23).
26. Thomas of Wigtoft: A.R.1286,m.16d. The membrane contains cases heard shortly after Easter, 1290, concerning crimes committed at Boston Fair in 12 1288, so that Thomas would probably have been a bailiff under Robert of Chadworth, John Dyne's predecessor as sheriff. But since he is not referred to as nuper or quondam, he may have remained a bailiff, probably of Kirton, under Dyne, and so is included, with a query.
27. Nigel the Chapman of Donington: once called Nigel of Donington, nuper bailiff of Kirton (225), which suggests that he held office under Ralph Paynel. In the other four entries concerning him (29-32) he is called by his full name, but not described as bailiff, though there seems little doubt as to his identity.
28. A.R.1320,m.23. He is called bailiff, not specifically of Elloe, but as the case concerns a tenement at Gedney, Elloe, it is likely that Adam was bailiff of this wapentake.
29. John le Donne: only once mentioned in A.R.505 (109) and then called quondam, which probably implies service under Robert le Venour, sheriff, but may extend to Ralph Raynel. The same is true of John's two subbailiffs (108,110); I therefore include them, with queries, under both sheriffs.
30. Gilbert Belle: his office under Richard of Draycote is clear, but in 1301 he appears as an attachor, with the bailiff of Skirbeck, of the defendants in a possessory assize (A.R.1320,m.29d.). It is possible that at this time he was again a subbailiff of Skirbeck, and as such is tentatively included in the list.
31. Nicholas Clerk: A.R.1320,m.29. Possibly only a subbailiff, as Henry of Hakethorn, his companion, had already, apparently, been capital bailiff of Holland in 1299 (note 24), and would hardly thereafter become a mere subbailiff. Another possibility is that both Nicholas and Henry were bailiffs of equal rank, but this is not perhaps very likely in a small wapentake.

32. Henry of Newton: the key entries are nos.18 and 152. In the first of these he is said to have been suspended by John de Insula, justice, who held an enquiry into the conduct of royal ministers in 1294 (P.R.O.Lists and Indexes, IV, p.178) and in 1297 handed to the Treasurer and Barons of the Exchequer 12 rolls of pleas heard before him in Lincolnshire in 1296 (L.T.R.M.R.no.68,m.47). Henry, therefore, must have been bailiff - of the North Riding - under Robert le Venour, sheriff, 1293-7. This is proved by reference to P.R.O. Fines and Amercements, 119,no.27 (1294), where Henry is called bailiff of the North Riding; and at Easter, 1297 - Robert le Venour's last proffer at the Exchequer - Henry, still bailiff of the North Riding, is allowed time to pay a fine of £13, previously made before John de Insula (K.R.M. R.no.70,m.72d; L.T.R.M.R.no.68,m.34d.). In A.R. 505 (18) Henry is further said to have been re-instated by the next sheriff, Ralph Paynel, who says (152) that Henry was never dismissed his office, the clear implication being that he continued in it under Ralph, with Ralph's own consent. Finally, to the horror of the court, Henry comes before the justices in 1298 tanquam balliuis, hence he was still acting as bailiff of the North Riding under Ralph's successor. Richard of Draycote; and as if to clench this, in entry 199 he is plainly called bailiff of North Riding (see the entry itself for the explanation of 'Northgrenhow.' Here, then, is a clear case of one man retaining his office under three successive sheriffs.
33. It is to be noted that apart from Henry of Newton (note 32), none of the bailiffs or sub-bailiffs of the North Riding under Robert le Venour are mentioned at all in A.R.505, and that I have been able to discover nothing about any of those who served under Richard of Howell, 1299-1300. But as to this, it is significant that three of the North Riding bailiffs who served under Richard of Draycote, Howell's predecessor, were also serving under his successor, Hugh de Bussey. Bearing in mind instances where the same bailiffs continued to serve under successive sheriffs, it is perhaps not far wide of the mark to suggest that these men served Richard of Howell as well.
34. A.R.1316,m.27d.
35. Hugh of Pickering: once called bailiff (3) and once subbailiff (203) of Yarbrough, with no time-qualification; but as there are two subbailiffs of this wapentake who are never called anything else and also have no time-qualification, Hugh's

real rank was probably bailiff, not subbailiff. In 1301 he was again bailiff of Yarborough, under Hugh de Bussey, sheriff. (A.R.1322,m.17d).

36. Ralph of Cendale (Sandale): the absence of any time-qualification suggests that Ralph was bailiff of Walshcroft in 1298, the year of the enquiry, but two of the entries concerning him (153,159), show him making a prise of oxen for the king's use. There was a prise of beef in 1297 (see table of burdens, p.11-12); if Ralph took the beasts under the terms of this prise, he was probably bailiff also under Ralph Paynel, but I cannot be certain of this.
37. Walter Welmad: bailiff (170), once called sub-bailiff (101) of Bradley, probably in the time of Richard of Draycote, since there is no time-qualification. He appears again as bailiff, with his name spelt 'Welmaked' and no area specified (A.R.1320, m.27), but the area was probably still Bradley. An entry in Min.Accts.1/1,m.9d. is suggestive. In 1295-6 the expenses of Waith Grange, Haverstoe (Earl of Lincoln's lands) contained this item: two bushels given to Walter Welmad for demesne held seised into the king's hands. Was Walter at this time bailiff of Haverstoe under Robert le Venour? I have no evidence against this, but similarly none to prove it.
38. Robert of Beelsby: twice called bailiff (2, 201) and once subbailiff (99) of Haverstoe, with no time-qualification. This probably means that he held office under Richard of Draycote; but he was again bailiff, under Hugh de Bussey (A.R.1320,m. 27), though no locality is given. There is no reason to suppose, however, that this had ceased to be Haverstoe.
39. A.R. 1293,m.6.
40. Hugh of Habrough: in A.R.505 he is merely called subbailiff of Ludborough (100,204), and as such he is shown in the list: who, then, was the bailiff of this wapentake?
41. While in most cases it is fairly clear what areas were administered by the South Riding bailiffs, there is considerable doubt which sheriffs many of them served under; hence the order of arrangement is open to question, and if the evidence were more

abundant several modifications might have to be made. I can only, therefore, suggest what seems to me to be the most likely arrangement.

42. Thomas of Sutterby: the two bailiffs of his who are mentioned in A.R.505 are both called nuper, tunc or quondam (John of Edlington, 33,95; William of Hemingby, 1496,141-2), yet Thomas himself is merely called bailiff of South Riding, with no time-qualification. There does not seem to be any doubt as to his rank - a capital bailiff, though the term capitalis is not used - and the persistent quondams and the tunc of his bailiffs suggest that he served under Robert le Venour.
43. William de Phanneye: only once mentioned in A.R.505 (22), and then called nuper bailiff of South Riding: this probably refers to Ralph Paynel's shrievality.
44. William Loseward: once called nuper bailiff of South Riding (21), and once merely balliuis regis (165), suggesting capital rank under Ralph Paynel. It seems odd that there should have been two capital bailiffs in the South Riding during so short a term as Ralph Paynel's, but this is not impossible: health or other reasons might have necessitated changes. The evidence is too slight to allow any sure deduction.
45. Henry of Walmesford: he was clearly capital bailiff of South Riding with no time-qualification, and can be regarded with some certainty as holding his office under Richard of Draycote. At the end of September, 1299, just before Richard relinquished his own office, Henry attached one of the parties to a possessory assize, and while not here called a bailiff, probably still was one (A.R.506, m.6).
46. Roger of Brinkhill: an extremely indistinct figure in A.R.505. He is mentioned five times (59,139,260,265-6); he is never given any rank or time-qualification; the complaints against him come from Hill and Candleshoe wapentakes; he was clearly a royal official, and the complaints against him are of a kind made again and again against bailiffs. But in October 1300 he was bailiff of South Riding (A.R.1316,m.26d). The case was heard a few days after Richard of Howell had been succeeded as sheriff by Hugh de Bussey, but the offence was almost certainly committed in

- Richard's time). At the time of the 1298 enquiry, therefore, it is probable that Roger was a bailiff of some kind, but it is impossible to describe him further, save to suggest, from the very scanty evidence, that he might have been a bailiff errant.
47. Simon of Grebby: nuper bailiff of Wraggoe (143,145), probably under Ralph Paynel; later subbailiff of Candleshoe under Richard of Draycote (90).
 48. William of Hemingby: three times called quondam bailiff or subbailiff (96,141,142), of Thomas of Sutterby (96); once nuper bailiff (14) and once merely bailiff of Gartree (164). But there does not seem to be any real doubt either as to his rank or when he held office.
 49. William of Northeby of Hemingby (17): quondam bailiff, but no locality given. He comes from Hemingby in Gartree, and both the entries to do with him are among groups of South Riding entries; failing evidence to the contrary, he may be regarded as bailiff of Gartree. The quondam is a difficulty, since William of Hemingby, apparently not the same person, was Thomas of Sutterby's bailiff of Gartree (note 48). If William of Northeby was bailiff of Gartree at all, he would appear to have been so under Ralph Paynel, unless he was a subbailiff of this wapentake under Robert le Venour.
 50. Hugh of Ormsby: clearly one of Henry of Walmesford's bailiffs (89), but no locality is given for him. He seems to have had land in Louthesk (A.R. 1316,m.20; A.R.1320,m.23), at Saltfleetby, and may have been bailiff of this wapentake.
 51. Gilbert Loseward: Henry of Walmesford, bailiff in Calcewath (92), and bailiff of the same wapentake under Hugh de Bussey (1301) (A.R.1320,m.29). It is tempting to suggest - the possibility is not so remote - that he was such also under the intervening sheriff, Richard of Howell.
 52. William Wanthorn (Wantoun) of Thiddlethorpe: an official for whom no rank is specified in A.R. 505 (244,376). His offence was the somewhat strange one of unjustly taking one sword from the rector of Beesby church in Calcewath. He may have been a subbailiff of Calcewath in Richard of Draycote's time, or he may only have been a village constable.

53. Hugh Amory: L.T.R.M.R.no.71,m.119. This entry is an order to distrain Hugh Amory, bailiff of Candleshoe, and Simon son of Gwyde of Wainfleet and have them before the barons of the Exchequer at York in June 1298 to answer to the king for the goods and chattels of aliens taken into their hands, as found by an inquest taken before John de Insula, according to the roll of pleas and complaints made before him against royal ministers in 1296. This is clear evidence that both Hugh and Simon were themselves 'royal ministers' in 1296, but we are not told where or of what rank. However, in view of the tendency to continuity in office, it is not unreasonable to suggest that Hugh was in 1296 what A.R.505 shows him to have been in 1298, bailiff of Candleshoe (163,263). We do not know what sentence was passed on him by John de Insula, but if, as was quite likely, he was dismissed office and later re-instated, this would account for the apparent presence of another bailiff of Candleshoe in Robert le Venour's time - Thomas Angevin (note 54). What rank Simon son of Gwyde held is not revealed, but he may have been subbailiff of Candleshoe, and as such is shown, with a query.
54. Thomas Angevin: twice called quondam bailiff of Candleshoe (16,98). He may have held office under Ralph Paynel, though then one would have expected nuper rather than quondam, in spite of somewhat loose usage; but he may also have served under Robert le Venour, especially if Hugh Amory (note 53) was dismissed in 1296.
55. I have found only one record, in A.R.505 or elsewhere, of any men who might have been capital bailiffs of the West Riding under Robert le Venour, and this record is extremely doubtful: William of Bevercote (46), called merely king's bailiff.
56. Ralph of Torksey: clearly a capital bailiff of the West Riding (11) in the time of Ralph Paynel's shrievalty (84), with subbailiffs of his own (85-7).
57. Ralph Notebroun: capital bailiff of West Riding (144) with no time-qualification, so that he probably held office under Richard of Draycote, sheriff. But he also held official rank of some kind under the previous sheriff, for the dates given in three entries (62-4) prove it. What this rank was is not revealed. The entries show him committing breaches of his office in Manley, which had a bailiff at this time (87), and they show him acting as if he were a bailiff. The evidence is

LIST OF WAPENTAKE BAILIFFS

too scanty to prove whether or not there were two capital bailiffs or even two bailiffs of Manley under Ralph Paynel, but Ralph Notebroun may have been one of Paynel's bailiffs errant. This, however, is a surmise.

58. Dionysius of Newton: Ralph Notebroun's bailiff in Manley (81) in Richard of Draycote's time; and on 24 October 1300, he is called bailiff, but the title is cancelled (A.R.1316,m.29). Since there had been a change of sheriff about a week previous to this date, the entry suggests that Dionysius had been a bailiff up to the change, that is to say under Richard of Howell, sheriff, who was superseded on 16 October 1300. There is no evidence to show that Dionysius had been transferred from Manley when Richard of Howell superseded Richard of Draycote as sheriff, hence I have entered Dionysius, tentatively, as still bailiff of this wapentake.
59. Nicholas of Newark: there is only one reference to him in A.R. 505 (111), where he is merely called bailiff. But in 1299 he was cited as bailiff of Well wapentake (A.R.506,m.9d) and put in mercy for not carrying out the duties of his office. This was still during Richard of Draycote's shrievalty, and seems to explain entry 111 in A.R.505.

Continued:

1291. Wap. Well. Bailiff of the wapentake of Well.

Continued:

1292. Wap. Well. Bailiff of the wapentake of Well.

1293. Wap. Well. Bailiff of the wapentake of Well.

1. A.R. 101, m. 1, p. 1. 2. A.R. 101, m. 1, p. 1. 3. A.R. 101, m. 1, p. 1. 4. A.R. 101, m. 1, p. 1. 5. A.R. 101, m. 1, p. 1. 6. A.R. 101, m. 1, p. 1.

7. A.R. 101, m. 1, p. 1. 8. A.R. 101, m. 1, p. 1. 9. A.R. 101, m. 1, p. 1. 10. A.R. 101, m. 1, p. 1. 11. A.R. 101, m. 1, p. 1. 12. A.R. 101, m. 1, p. 1.

LIST OF MUNICIPAL BAILIFFS.

The burgesses of the boroughs mentioned below held the profits of them - not the lands - at farm of the king,¹ and their bailiff, or the chief of a number of bailiffs, accounted at the Exchequer once or twice a year in the same way as the sheriff accounted for the farm of the county. Lincoln being a more important borough - a city - its chief bailiff was called the custos.

Names of officials not mentioned in A.R. 505 appear in italics.

Lincoln:

1291-7 (Michaelmas), ROBERT DE VENOUR, custos.²

1298, Easter, WILLIAM CAUSE succeeded Robert as custos.³

Grimsby:

1291, Mich. RALPH OF COTES, bailiff of the men of Grimsby.⁴

1292, Mich. JOHN OF ALESBY, the same.⁵

1293, Mich. JOHN OF ALESBY, the same.⁶

1. cf. Pollock and Maitland, I, pp. 635-8.

2. K.R.M.R.nos.64,m.19; 65,m.1; 66,m.2; 67,m.1; 68,m.3; 69,m.2; 70,m.3; 71,m.1; L.T.R.^{m.h.} no.69,m.25d. He accounted at Michaelmas and Easter each year, and made his last proffer as custos at Michaelmas 1297.

3. K.R.M.R.no.71,m.3; L.T.R.M.R.no.69,m.6.

4. Ibid.,no.65,m.1.

5. Ibid.,no.66,m.1.

6. Ibid.,no.67,m.1.

1294 (RALPH OF COTES
RICHARD BRISEBAUNK
ROBERT DE WAYE
ROBERT DE TOLLER
JOHN DE DALBY 1

1295, Mich. GILBERT DE WYHUM, bailiff of the men of Grimsby.²

1296, Mich. JOHN BRISEBAUNK, the same.³

1297, Mich. (JOHN ROSE...⁴ Bailiff of the men of
JOHN OF DALBY⁵ The same. Grimsby.

1298, Mich. RICHARD OF GRIMSBY⁶ The same

Caistor:

1295, Easter. PETER CORBE, bailiff of the men of Caistor.⁷

1296, Easter. HENRY DE CASTRE,⁸ the same.

-
1. L.T.R.M.R.no.66,m.15.
 2. Ibid.,no.69,m.1.
 3. L.T.R.M.R.no.68,m.1.
 4. The rest of the name is illegible. K.R.M.R.no. 71, m.1.
 5. L.T.R.M.R.no.69,m.1.
 6. K.R.M.R.no.72,m.1; L.T.R.M.R.no.70,m.1.
 7. K.R.M.R.no.68,m.3; L.T.R.M.R.no.66,m.104.
 8. K.R.M.R.no.69,m.2; L.T.R.M.R.no.67,m.3.

- 1297, Easter. HENRY DE CASTRE¹ the same.
 1297, Mich. NICHOLAS OF KELESSEY.² the same.
 1298, Easter, HENRY DE CASTRE.³ the same.
 1298, Mich. SIMON SON OF WILLIAM.⁴ the same.
 1299, Easter. HENRY DE CASTRE.⁵ the same.

Boston:

- 1297-8, RICHARD DE BERMINGHAM. royal bailiff.⁶

-
1. Ibid., no. 70, m. 3.
 2. L.T.R.M.R. no. 69, m. 1.
 3. K.R.M.R. no. 71, m. 3.
 4. Ibid., no. 72, m. 1.
 5. Ibid., no. 72, m. 2a.
 6. L.T.R.M.R. no. 29, m. 48.

LIST OF TAXORS. IN LINCOLNSHIRE, 1294-8.

For the most part the names given are only those appearing in A.R.505, whether they are there expressly designated taxors or not. The main exceptions are the chief taxors, only one of whom is mentioned in A.R.505; those persons selected to tax the sub-taxors themselves, and the taxors of the ninth. In no case is the list complete, for want of sufficient original material to make it so. Many names are taken from the Lay Subsidy Rolls, the chief external source of information for the sub-taxors, but this series is itself far from complete for Lincolnshire. The lists are arranged chronologically, and made up so as to indicate as clearly as possible whether the sub-taxors belonged to the Wapentake or Vill groups, but it is to be remembered that there are many doubtful cases. Biographical details are appended where I have been able to discover them. And it is to be emphasised that no distinction was made between a taxor and a collector: he who assessed a man's property also levied the resultant tax. This is illustrated again and again in A.R.505. ~~Names not found in A.R.505.~~ Names not found in A.R.505 are in italics; the others are followed by the numbers, in round brackets,

of relevant entries in A.R.505.

The Forma Taxacionis for the levy of a fifteenth in 1290 set up machinery for assessing and collecting the tax, and became a model for the first three of the four war-time taxes, the tenth of 1294, the eleventh of 1295 and the twelfth of 1296.¹ The personnel consisted of two or more chief assessors, aided by twelve men from each hundred or Wapentake, who were in turn assisted by the reeve and four men in each vill.²

THE TENTH (1294).

CHIEF TAXORS=

Richard de Boselingthorp³

Ralph de Sancto Laudo.

John of Holland⁴

-
1. A.R.505 is concerned only with the rural aspect of these taxes; there are no cases in it dealing with the burgess rates.
 2. See Introd., pp. and refs. there given.
 3. K.R.M.R.no.68,m.72.
 4. C.P.R.1292-1301,p.103.

SUB-TAXORS, in Candleshoe wapentake. It is impossible accurately to determine who, of the following persons, were wapentake taxors and who were men chosen from individual vills. I surmise, however, from the localities given and the numbers complained against from each, that we are here dealing with the men of the vills only, with the possible exception of the first two persons, for whom no locality is specified.

William son of Gilbert (256). Also collector of the ninth (283).

Nicholas Herre (256).

In Northholme:

Hugh son of Rose (296). Also collector of the 12th in Bratoft (257)

Alan Cissor (296).

Richard Carpenter (296)

In Ingoldmells:

Alan as Ecclesiam (273-4,277). Also collector of the 12th in Ingoldmells (280- and possibly also of the 9th (276)

Alan Warde (277). Also collector of the 12th in Ingoldmells (280)

William De Wra (277).

In Welton-le-Marsh:

Robert Pylat (284). Also collector of the 12th in the same vill (286).

John of Belvoir (284). Also collector of the 12th in
the same vill.

Ralph of Rygg (284). Do.

Martin of Welyngton (284).

In Burgh in the Marsh:

Alan de la Rawe (290).

John Blaunchard (290).

In Scremby:

Ranulph of Grebby (298). Also collector of the 12th
in the same vill (300). He seems to have been
the father of a bailiff, Simon of Grebby
(162); and twice mainperns another official
(34-5).

Gilbert son of Alice (298).

In Ashby by Partney:

Walter son of Simon (301). Also collector of the
11th in the same vill (303).

Thomas of Enderby (301). Do.

Robert ad Ripam (301). Also collector of the 12th
in the same vill (302).

THE ELEVENTH (1295).

Chief Taxors:

Ralph of Littlebury,¹ knight.²

Thomas (de) Gunneys,¹ clerk.²

SUB-TAXORS in Candleshoe wapentake. The first twelve
names occur together, and probably represent the
wapentake collectors, as distinct from the men of the
vill:

1. K.R.M.R.no.69,m.65; C.P.R.1292-1301,p.170.

2. C.P.R.loc.cit.

John del Rawe (285). In Orby; in Burgh in the Marsh (293) and in Ashby by Partney (304). Also collector of the 12th in Orby (285); in Welton-le-Marsh (287) and in Bratoft (257).

William of Thorpe (285). In Orby; in Burgh in the Marsh (293). Also collector of the 12th in Orby (285), Bratoft (257) and in Welton-le-Marsh (287).

Alan atte Conysgate (285). Do.

Roger del More (285). Do.

Laurence son of Hugh (285). Do.

William Elrycher (285). Do.

Simon Pyncrak' (285). In Orby; in Burgh in the Marsh (293). Also collector of the 12th in Orby (285). He belonged to Burgh in the Marsh, Cand. (259), and is a mainpernor of Hugh Amory, bailiff of Candleshoe (91).

Alan Borel (285). In Orby; in Burgh in the Marsh (293). Also collector of the 12th in Orby (285)

Peter son of Edde (285). Do.

Alan Hardewyn (285). Do.

Walter Skinner (285). Do.

William Galle (285). Do.

The next group of names seem to be those of vill-collectors in Candleshoe. As before, they are given under the names of the vills in which they acted:

In Burgh in the Marsh:

Alan Plant (293)

Robert Maonus (293)

Henry Ingelbryth (293)

In Scremby:

John of Grebby (299)

Richard Hame (299)

Robert son of Gene (299)

In Ashby by Partney:

Robert de Langar (303)

Martin le Waryk (303)

Gilbert ad Spinas (303). Also a painpernor of
Thomas Angevin, bailiff of Candleshoe (215). /m

Hugh son of Philip (303)

Walter son of Simon (303). Also collector of the
tenth in Ashby by Partney (301).

Thomas of Enderby (303). Do. (q.v.)

In Ingoldmells:

Alan the Provost (278)

William son of Walter of Huttoft (278). Also
collector of the 9th (279).

Robert Bugge.

No locality specified:

Austin Gummy (or Guncy) (288)

Hugh Gegge (288)

William ad Ripam (288)

Ralph the Provost (288)

SUB-TAXORS in Winnibriggs wapentake. ¹Ralph son of Robert of GonerbyWilliam MalvielJohn of Herford (497). A juror of Winnibriggs in
1298.Adam le SpicerRichard of Westhorpe

1. Subs.Roll (Lay), 135/2, m.16.

Richard the Clerk of Ponton.

Ralph of Ponton (Pamton)

Robert of Denton

Roger Frankeleyn of Denton

Ric' Docinge of Skillington (perhaps 173)

Roger the Clerk of Allington

Adam Hoymund¹

These men are the wapentake collectors and taxors,
not those of the villis.

THE TWELFTH (1296).

CHIEF TAXORS:

Ralph of Littlebury,² knight.³

Thomas (de) Gunneys,² clerk.³

SUB-TAXORS in Candleshoe wapentake. The first twelve names occur together on two separate occasions, and almost certainly represent the wapentake collectors, not those of the villis:

John del Rawe (257,285,287). In Bratoft (257); Orby (285) and Welton-le-Marsh (287). Also collector of the 11th in Orby.

-
1. Against Adma's name is this: 'unus ex duodecim non habuit in bonis ad valorem xi.s. ideo non taxator.
 2. K.R.M.R.no.70,m.87.
 3. C.P.R.1292-1301,p.170.

(285), Burgh in the Marsh (293) and Ashby by Partney (304).

William Thorpe (257,285,287). Do. except in regard to Ashby by Partney. Also collector of the 9th (276).

Alan atte Conysgate (257,285,287) Do. except the 9th.

Roger del More (257, 285, 287). . Do.

Laurence son of Hugh (257,285,287). Do.

William Elrycher (257,285,287). Do.

William King (257,287). In Braoft (257) and Welton-le-Marsh (287). ^c_h

William of Steeping (257,287) Do.

Walter of Ashby (257,287). Do.

William Greymag (257,287). Do. also collector of the 9th (295)

William of Scremthorpe (257,287). Do. except 295.

Hugh son of Rose (257,287). Do. also collector of the 10th (296).

The next group of names seems to be those of vill-collectors. They are given under the names of the villis in which they acted:

In Burgh in the Marsh:

Simon Pyncrak' (285,294). He lived in Burgh (259). He also collected the 1eth in Orby (285) the 11th in Orby (285) and the 9th in Burgh in the Marsh (295).

Henry May (294)

Alan of Skegness (294)

Simon the Butler (294)

No locality specified

Ralph Berrard (285)

In Ingoldmells:

Alan ad Ecclesiam (272,280,282). Also collector of the 10th (273-4) in Ingoldmells (277), and possibly of the 9th (276).

John of the Marsh (272,280,281)

Alan Warde (272,280)

In Welton-le-Marsh:

Robert Pylat (286). Also collector of the 10th (284).

John of Belvoir (286). Do.

Ralph of Rygg (286). Do.

In Orby:

Alan Borel (285). Also collector of the 11th in Orby (285) and in Burgh in the Marsh (293).

Peter son of Edde (285). Do.

Alan Hardewyn (285) Do.

Walter Skinner (285) Do.

William Galle (285). Do.

In Scremby:

Ranulph of Grebby (300). Also collector of the 10th in the same vill (298).

Robert Blaunkpayn (300).

In Ashby by Partney:

Robert ad Ripam (302). Also collector of the 10th in the same vill (301).

Walter son of Gilbert (302)

Thomas son of Nicholas (302)

No locality specified:

Ralph Bernard (258)

Robert de Spina (258)

THE NINTH (1297). For this tax the machinery of collection was altered. The vill became the unit, rather than the wapentake: accordingly the twelve men of the wapentake were dispensed with, and instead a small number of men were selected in each vill to tax the vill and the surrounding area. This number was normally four, but might be increased or decreased at discretion. 1.

CHIEF TAXORS:

Simon son of Ralph of Aunsby.²

Richard of Howell, knight.

Richard of Hetherington. Superseded Simon of Aunsby.³

SUB-TAXORS in Candleshoe wapentake.

In Burgh in the Marsh:

William Greymag (295). Also collector of the 12th (q.v.)

Simon Pyncrak' (295). Also collector of the 11th and 12th (q.v.)

In Orby (this is probable only, not certain):

William son of Walter of Huttoft (279). Also collector of the 11th in Ingoldmells (278).

No locality specified:

William son of Gilbert (283). Also collector of the 10th (256).

Nicholas Herre (283). Do.

1. See Introd., p. ~~back~~ note 2.

2. L.T.R.M.R.no.69,m.38; K.R.M.R.no.71,m.120d.

3. K.R.M.R.no.71,m.121d.

William of Thorpe (276). Also collector of the 11th and 12th (q.v.)

Alan ad Ecclesiam (276). Probably; certainly collector of the 10th and 12th (q.v.)

Roger of Firsby (276). Do.

Hugh son of Beatrice (276).

Lambert Markham (276)

Thomas Power (276)

SUB-TAXORS in Aswarhurn wapentake.¹

In Ingoldsby:

Ralph Senger of Ingoldsby

Ralph son of Ralph of Ingoldsby

Thomas de Camera

. ...² Prest of Thorpe

1. Subs.Roll (Lay) 135/6, m.1. This membrane is headed 'Taxacio none domino regi concessa de bonis subtaxatorum in wapentagio de Aswardhirne.' In the following lists it is not always perfectly clear that the names given are those of sub-taxors themselves; yet from the small number of names given under each vill never more than six, there seems little doubt that this roll does concern the assessment of sub-taxors, not of private individuals.

2. The Christian name is obliterated.

In Gwarrington and Willthorpe:

Robert Carpenter of Gwarrington (276)

Stephen Ryvel of Willthorpe (276)

THE TAXORS in wapentake. The names are given in a continuous list, without marginal localities, but from the context the localities are in most cases fairly clear. Nevertheless, this list must be regarded as only tentative.

In Little Hale:

Robert son of Simon of Little HaleJohn of Folkingham

w/ In 'Wardeby abd Oustorp' (Ewerby Thorpe):

Robert Warde of WardebyAlan of Holand 'de eadem'Robert GoldeWilliam son of William of Oustorp

In Asgarby and 'Haketon':

John de la Mor (354)Richard Wulhyf

In Howell:

Henry of Howell, clerkAlan of Mumby

In Evedon:

William of Baumber of Evedon (337)Robert Motte

In Old Sleaford:

William Brond de Verteri LaffordHenry Knivet

In Quarrington and Millthorpe:

Robert Carpernter of Quarrington (344,356)Stephen Kylbel of Millthorpe (343,356)

SUB-TAXORS in Beltisloe wapentake. The names are given in a continuous list, without marginal localities, but from the context the localities are in most cases fairly clear. Nevertheless, this list must be regarded as only tentative.

In South Witham:

William of Deeping (469). Juror of stamford in 1298.

John de Parys (323). Stated in A.R.505, loc.cit. to be a villein and suffered extortion not to be put upon assizes.

In North Witham:

Robert le Warde

In Gunby:

Simon of Skillington

In Stainby:

William de Twyford

Robert Brestonne

In Skillington:

William de Maidhill of Skillington

Mathew le Sumpter (probably in Skillington)

In Colsterworth:

Richard ultra Aquam of Colsterworth

John son of John of Colsterworth

In Woolsthorpe:

Robert de la Haye

Humphrey Lambert

In Lobthorpe:

Elias Michard

In Twyford:

Hugh Dyne of Twyford

In Easton:

William Palefrey

Adam son of Ralph of Easton.¹

In Edenham:

Thomas Erlyn of Edenham

In Grimsthorpe:

Walter Carter of Grimsthorpe

In Scottlethorpe:

Roger Cotus

Lambert Mercator

In Lound:

Hugh Peverel of Lound (250). Juror of Beltisloe
in 1298.

In Toft:

Henry Spryng of Toft

In Manthorpe:

Henry fil' Luce of Manthorpe

In Witham:

Simon Thedam

Robert Freman

In Swayfield:

Hugh Dyne of Swayfield (179)

Peter ad Ecclesiam

In Corby:

Eustace Clerk

Robert Bylet

John Forfeld¹

The sub-taxors of Aswardhurn and Beltisloe were themselves taxed by the following six 'fideles homines,' who otherwise were not taxors:

John Herdebi of Evedon

William of Hekington, clerk

Nicholas of Ancaster of Old Sleaford (72)

Gilbert of Hale of Ewerby Thorpe (197,490), juror of Aswardhurn in 1298.

Richard Hoky of Howell

Richard Ryling of Burton Pedwardine.²

SUB-TAXORS in Threo wapentake.³

In Honington:

Geoffrey of Barnolby (?)

Roger ad Crucem (415)

Henry Medicus

William de Wymundam

In Wilsford:

Henry Martin (415)

Henry Ray (415)

Gilbert de ...⁴ Nichil habet in bonis

In Haydor, Oseby and Aisby:

Roger Trig

1. Ibid., m.2.

2. Subs. Roll (Lay), 135/6, m.1.

3. Ibid., 63/1, m.1.

4. The name is undecipherable. The whole membrane is very faint.

John Trig (415)

Bartholomew Fraunshays (415)

William Chaumpayn nichil habet in bonis

In Welby:

Thomas Robe

William de Horton (191)

Henry West (53,191,415)

Thomas Edus (191,415) nichil habet in bonis

In Braceby and Sapperton:

Robert Bate (415)

Henry de Dembelby (415)

Geoffrey son of Amis

In Ropsley:

Walter de Celby

John Fox (415)

Jon le Weyse

William Lotte

In Harrowby and Dunsthorpe:

William Gunnild

Alan (?) Cuteman

Simon Lewin (415)

Simon the Clerk (412-15)

In Londonthorpe and Towthorpe:

Hugh ad Virid'

John son of Nicholas the Provost

William ad Fontem (415)

In (?) Somerby:

Richard Gibard (415)

William the Clerk

In (?) Belton:¹

William son of Roger

Alexander the Provost

Hugh the Carter (192, 415)

Thomas the Clerk nichil habet in bonis

In Syston:

Andrew Bercar'

William Warde (415)

Stephen Wolwyn (415)

In Harlaxton:

Richard son of William

Roger Pacy

Peter...²

Roger ...² nichil habet in bonis

SUB-TAXORS in skirbeck wapentake.³

In Boston:

Peter son of william Gode

John Binninge

Nicholas son of Alexander

John son of Richard

-
1. The rest of the Threo names are on Subs.Roll (Lay), 63/1, m.2.
 2. Surnames illegible.
 3. Subs.Roll (Lay), 135/3, m.1.

In Skirbeck:

Nicholas le GrantAlan Perterit (?)Laurence Cuper

In Toft:

Robert son of WalterHenry son of WarinAlan son of Robert

John Donne (109). Sometime bailiff of Skirbeck.
See list of bailiffs, s.v. John le Donne.

In Frieston:

Edmund ad EcclesiamWacenus son of RalphJohn OrgerWilliam de Wittofte (Wigtoft)

In Butterwick:

John of Pinchbeck(?) Colin son of William¹

In Bennington:

Roger son of (?) Colin¹Gilbert of (?) Gransto¹Ralph son of (?) Colin¹

William Belle (105-6).

1. This membrane is very badly written; I found it extremely difficult to decipher some of the names, especially those marked with a query.

In Leverton:

Ralph Soc (or Sot)(?) Colin son of Roger¹Alan son of ReginaldJohn Hard

In Leake:

Alan de Rie (?)¹John son of HenryAlan of GrimscoftRalph son of Henry

In Wrangle:

William son of Alan.John KnolleWilliam son of RichardWilliam son of AbrahamSUB-TAXORS in Ness Wapentake.²

In Tallington:

Simon le PaumerRobert en le Hirne

In Deeping:

William de Celar'Hugh Gutlak

-
1. This membrane is very badly written; I found it extremely difficult to decipher some of the names, especially those marked with a query.
 2. Subs.Roll (Lay), 135/3,m.3. Headed 'Taxacio subtaxatorum de wapentakio de Nesse.

Gilbert de Casewik

Roger de Grisdal'

In Langtoft:

John son of the Provost

John de Spe...¹

In Carlby:

William Ponchet

Ralph Perlour

In Braceborough:

William the Carpenter

Geoffrey of Burton (470) Juror of Ness in 1298.

In Wilsthorpe:

Robert (?) Darner

Andrew Carenco'

In Greatford:

Hubert of Stamford

Robert en le Dek

SUB-TAXORS in Lovenden wapentake.²

In Marston:

Elias de Neuwerk

Geoffrey Rikedon

In Hougham:

John Cosin

1. Rest of the surname illegible.

2. Subs.Roll, (Lay) 135/3, m.4. Headed 'Taxacio taxator-um none..'

Robert le Provost

In Westborough and Little Thorpe:

William de Thorp'

Geoffrey Knicht'

Robert Hendcop'

John de Stockingham

In Donnington with Stocking:

Hugh of Doddington

William Benchmaler

John Birice

In Claypole:

Richard of Benington

William of Carlton

William ad Ecclesiam (56)

In Stubton:

Roger del Western

Roger Mat (or Mac) of Stubton

In Beckingham, Sutton with Fenton:

Adam de Sutton

Robert de Fenton

In Brant Broughton:

Hugh Edenser

Alan Broc

Robert Plomul

In Stragglethorpe:

Geoffrey Brian (255) Juror of Loveden in 1298.

The sub-taxors of Loveden were themselves taxed by the following, who were not otherwise taxors of the district.

1. Gaus. Hall (lay), 135/5, 3.4.

William Hauberd

In Ledenham:

Walter Selvester

Geoffrey Breton

Selvester Tyeys nichil habet in bonis

In Fulbeck:

Roger son of Master William

Hugh ad Ecclesiam

Thomas Morel

In Caythorpe and Frieston:

Hugh Hogg

Simon Attegren of Frieston

In Normanton:

John in Angulo

Ralph in Vewell

In Carlton:

Nicholas of Carlton

John Laurent

John Galilay

In Hough-on-the-Hill, Gelston with Brandon:

Nicholas Gold

Henry Asty (56)

Robert Almot

In Ancaster, Sudbrook and Willoughby:

Adam de Walden

Nicholas de Exsex (sic)

The sub-taxors of Loveden were themselves taxed by the following who were not otherwise taxors of the ninth:1.

1. Subs.Roll (Lay), 135/3,m.4.

William of Gelston (20,56)
Thomas son of Reginald of Brandon
Robert Wyseman of Leadenham
Robert Almot of Fulbeck (416)
Robert Fayreman of Westborough
Ralph of Sutton.

SUB-TAXORS in Kirkton-in-Holland wapentake.^{1.}

In Surfleet:

Gilbert son of Peter of Surfleet

Simon Blenche

Walter son of Robert

In Gosberton (Gosberkirk):

John de Hoddil

John son of Roger

John Hog

Nicholas Pede

In Quadring (Quadhavering):

David son of William of Quadhavering

Peter de Campo

Lambert son of Hugh

Reginald Wyc or Wyt

In Donington:

Nigel the Merchant of Donington (19)

Adam Neumarche

Simon Mercator

1. Ibid., m. 7, 8. Headed 'Taxacio taxatorum de non' in Kirkton in Holande. Names of taxors of subtaxors not given.

In Bicker:

Gerard de la MerseJohn de BenhaleRoger PepirAlan Brun

In Swineshead:

Andrew son of RobertThomas le (?) CranemerIoceus BakunRobert son of Hugh

In Wigtoft:

Stephen Orun of WigtoftJohn PyteJohn son of RobertSimon son of Joseph

In Sutterton:

Hugh son of JohnRichard son of RichardRobert son of RichardRichard son of John

In Algarkirk:

John son of LambertThomas son of AlanRoger son of RobertWalter son Alexander

In Kirkton:

Alexander son of Ralph of Kirkton

Walter son of John

John son of Geoffrey

John son of Ranulph

In Frampton:

Alan son of Roger

Robert son of Walter

Jacob son of Warin

In Wyberton:

Roger the clerk of Wyberton

Ioceus Averey

Robert Torould

Alexander Clerk

SUB-TAXORS in Winnibriggs wapentake.¹.

In Great Ponton:

Ralph Erneys (326)

Richard Pistor (~~363~~-4,377,497) Juror of Winnibriggs in 1298.

John son of Persone

Iordanus super Montem

Ralph ad Ecclesiam

In Little Ponton and Stroxtun:

Richard super le Grene

Walter Petit

11 Subs.Roll (Lay) 135/3m.9,11. Headed 'Taxacio sub-taxatorum none.'

Walter son of John

John son of Geoffrey

John son of Ranulph

In Frampton:

Alan son of Roger

Robert son of Walter

Jacob son of Warin

In Wyberton:

Roger the clerk of Wyberton

Ioceus Averey

Robert Torould

Alexander Clerk

SUB-TAXORS in Winnibriggs wapentake.¹.

In Great Ponton:

Ralph Erneys (326)

Richard Pistor (~~363~~-4,377,497) Juror of Winnibriggs in 1298.

John son of Persone

Iordanus super Montem

Ralph ad Ecclesiam

In Little Ponton and Stroxton:

Richard super le Grene

Walter Petit

11 Subs.Roll (Lay) 135/3m.9,11. Headed 'Taxacio sub-taxatorum none.'

William son of Hugh

In Barrowby:

John of Herford (497). Juror of Winnibriggs in
1298.

Adam le Spicer

John Hemery

Walter of Carlton

In Belvoir and Woolsthorpe:

Robert Clerk

William Basset

Robert Pistor

Gilbert Kendale

In Houghton, Walton and Spittlegate:

Walter Katur

John Stoyl

Robert in the Wilup(?)

In Gonerby:

Ralph son of Robert

Robert Wich

Walter Ysod

John son of Isabell'

In Harlaxton:

Gerard de Malinor

John of Blaukeney (497). Juror of Winnibriggs,
1298.

Robert Gigur

Richard Bonde

William Stereman

The sub-taxors of Winnibriggs were themselves taxed by the following, who were not otherwise taxors of the ninth:1.

Robert Basset of Woolsthorpe (206,242)
 Richard of Westhorpe of Harlaxton (prob.412,414,
 415)
Dionysius Picher
William Loymud of Gonerby
John de Arnchton
Henry de Stanton

SUB-TAXORS in Graffoe wapentake.²

In Carlton:

Robert Alewy

Gilbert de Neuton

Robert Biwestetoun

John son of William

In Stapleford:

Simon Herberd of Stapleford

John Stoyale

In Norton:

Peter Franceys

William Atademes

In Thurlby:

William Scharp (252,481). Juror of Graffoe in
 1298.

David^{of} Threckingham (252,481) As above.

1. Subs.Roll (Lay) 135/3,m.9.

2. Ibid.,m.10. Headed 'Taxacio subtaxatorum none facta per...' The names of these taxors are given at the end of the Graffoe list.

3. These names are illegible.

In Aubourn:

John le Keu of AubournRobert son of William

In North and South Hykeham:

Philip of HykehamPeter of HykehamRobert Freman

In Boultham:

Eudo of BoulthamHenry the Clerk

In Skellingthorpe:

Peter ad ecclesiamRichard son of Peter

In Doddington:

Thomas the ProvostWilliam Albot

In Whisby:

John HoltreolAdam son of Walter

In Thorpe:

William HerewardGeoffrey Attehalle

In Morton:

Richard son of AgnesRobert ...¹.

1. These names are illegible.

In Basingham:

John ...¹.

Henry Yongman

William son of Simon

In Haddington:

Baldwin (?) Wasperay

Geoffrey the Clerk

The sub-taxors of Graffoe were themselves taxed by the following, who were not otherwise taxors of the ninth:²

Richard of Haldenby of Morton (185)

Thomas Blokevile of Thurlby

Roger Polur of Stapleford

Alexander son of Robert of Thurlby

Walter L...l. of Carlton

John Prophet of Haddington

SUB-TAXORS in Wraggoe wapentake:³

In Kirmond:

Hugh North

William son of Roger

William ad Solar'

In Ludford:

Mortimer Burre

Richard of Sixle

Richard the Provost

John the Clerk

-
1. These names are illegible.
 2. Subs.Roll (Lay) 135/3, m.10.
 3. Ibid., m.12.

In Sixle:

Thomas the ProvostWarin ...¹John the Clerk

In Hainton:

Nicholas WaceMatthew Biddes

In Burgh-on-Bain, Biscathorpe and Girsby:

John de BurgoThomas ultra RipamRichard Ingge

In South Willingham:

John RocelinWalter Carpenter

In Benningworth:

William ad AulamRobert of Otby

In Sotby:

Henry WardHugh SeluaynWilliam Suth'

In Hatton:

Robert the ProvostPeter the Provost

1. Surname illegible

The sub-taxors of Wraggoe were themselves taxed by the following, who were not otherwise taxors of the ninth:

Jacob Braunt
Peter of Fulnetby
Ivo of Brinkhill
William Burgelioun
Robert Fraunceys
John de St. Paul.

LIST OF ROYAL OFFICIALS APPOINTED FOR SPECIAL
PURPOSES IN LINCOLNSHIRE

1. Chief collectors of the Tenth, 12th November, 1294.

RICHARD DE BOSELINGTHORP
RALPH DE SANCTO LAUDO } Appointed 12th Nov, 1294¹.
JOHN OF HOLYLAUND Appointed 12th Nov., 1294².

2. Chief collectors of the Eleventh. 27th Nov., 1295.

RALPH OF LITTLEBURY
THOMAS DE GUNNEYS } Appointed 4th Dec. 1295.³

3. Chief collectors of the Twelfth, 3rd Nov. 1296

RALPH OF LITTLEBURY
THOMAS DE GUNNEYS } Appointed 29th Nov. 1296.⁴

4. Clerk to hasten the collection of debts of the king.

RICHARD OF HETHERINGTON, Appointed 14th June, 1297⁵
ROGER OF NORTON (19) Appointed 4th July, 1297⁶.

1. Ibid, m. 72.
 2. C.P.R. 1292-1301, p. 103.
 3. K.R.M.R. no. 69, m. 65.
 4. Ibid., no. 70, m. 87.
 5. Ibid., m. 101.
 6. Ibid., m. 101d.

5. Chief Collectors of the Eighth (never collected),
July 1297.

THOMAS DE METHAM
WILLIAM DE WALCOTE } Appointed 30th July, 1297.^{1..}

6. Chief collectors of the Ninth, 30th Sept., 1297.

SIMON OF ORMESBY
RICHARD OF HOWELL (36) } Appointed 13th Oct. 1297.^{2.}
RICHARD OF HETHERINGTON, Appointed 6th Nov. 1297.^{3.}

7. Seizure of wool and new customs rates. 12th June
and 26th July, 1294.

JOHN IDELSONE
THOMAS PEYT } Receivers of customs } Appointed
WILLIAM DE LA BRUERE Clerk. } 29th July,
1294.^{4.}

8. Collectors for wool in the hands of foreign commercial houses, 1294.

JOHN GUREYS
WYMUND BROTHER } Appointed probably July, 1294.^{5.}

-
1. Ibid., m. 117.
2. L.T.R.M.R. no. 69, m. 38.
3. Ibid., m. 39d.
4. K.R.M.R. no. 68, m. 82.
5. K.R.M.R. no. 68, m. 88.

9. Clerks appointed for the sale of goods of French merchants:

WILLIAM DE WODEFORD (308)
HENRY DE BAYEUS (308) } Appointed 28th Aug. 1294.^{1.}

10. Clerk to supervise the prise of corn of Nov., 1296, and that of flesh of June, 1297.

RICHARD OF HETHERINGTON, appointed 29th Nov, 1296.^{2.}

11. Merchants to buy wool under the prise of July 1297.

ROBERT DE BASING
WILLIAM FRAUNK
WILLIAM BUSH
RICHARD DE BELLO FAGO } Appointed July 1297.^{3.}
HUGH DE CANE, clerk, appointed after Michaelmas 1297.^{4.}

12. Clerk to supervise prise of corn of Nov. 1297.

RICHARD DE HERYNTON appointed 5th Nov., 1297.^{5.}

13. Clerk to supervise prise of corn of April 1298.

PETER DE MOLINTON (237, 240-1, 370-2), appointed 15th April, 1298.^{6.}

1. Ibid., m. 85d.

2. Ibid., no. 70, m. 114, 114d.

3. Ibid., no. 70, m. 108, The actual note is obliterated

4. L.T.R.M.R. no. 69, m. 134.

5. C.P.R. 1292-1301, p. 314.

6. C.P.R. 1292-1301, p. 344.

APPENDIX III.

P.R.O. Sheriffs' Administrative Accounts, no.568/1,

Transcript.

BLADA AD OPUS DOMINI REGIS IN COMITATU LINCOLN' CAPTA
 PER RICARDUM DE HETHERINGTON CLERICUM ET RADULFUM PAY-
 NEL VICECOMITEM EIUSDEM COMITATUS ANNO R.R.E.XXVto.
 ET EXPENSE FACTE CIRCA BLADA PREDICTA PER VICECOMITEM
 PREDICTUM PER VISUM PREDICTI RICARDI CIRCA FESTUM SANCTI
 IOHANNIS BAPTISTE

SUMMA TOCIUS RECEPT' BIAD' IBIDEM CAPT' MMDCCXLI quart'
 dim' buss' sicut patet per particulas inferiores.
 De frumento. mcccxxj. qr. .j.bs. .j.pc. Et de fabis et
 pis'. ccclvj. qr. .j.bs. Ordeo .ccij. qr. .j.bs. .j.pc.
 Et de auen' .dcccclj. qr. dim'.bs. De quibus recept'
 fuerunt, videlicet:

XX

Lincoln'. dcc.iiij. qr. dim'.qr. .j.bs. --
 De frumento .cccxiij. qr. dim' qr. .j.pc
 fab' et pis' .lxv. qr. .j.bs.
 ordeo .cxxxiiij. qr. dim' qr. .j.pc.
 auen. cclxviij. qr. .j.bs. dim' bs.

APUD

Sanctum Botulphum. m.cc.lxxv. qr. dim' qr. .j.bs. De
 quibus de frumento. ccccxciii. qr. dim' qr. dim' bs.¹
 fab. et pis' cxxxij. qr. .j.bs.
 ordeo xliij. qr.
 auen. dv. qr. dim' qr. .j.bs. dim' bs.

Weynflet. cc.xlviiij. qr. .j.bs. De quibus
 de frumento. cxxxj. qr. dim' bs.
 fab' et pis' .v. qr. dim' qr. dim' bs.
 ordeo nichil
 auen' .cxj. qr. dim' qr.

Grymmesby. cccc.xxxvj. qr. .j.bs. dim' bs. De quibus
 de frumento. ccxcii qr.²
 fab' et pis' liij. qr. dim' bs.
 ordeo. xxiiij. qr. dim' qr. .j.bs. dim' bs.
 auen' .lxvj. qr. .j.bs. dim' bs.

SUMMA TOCIUS FRUMENTI MOLIT' IN COMITATU PREDICTO.
 CCXXXIX. QR. De quibus molit' fuerunt, videlicet

apud

Lincoln'. cxxxv. qr. De quibus de
 farina bult' .cxiij. qr. .j.bs. dim' bs.
 furfure .lix. qr. dim' qr

XX

1. ms. cccc.iiij.xiiij

XX

2. ms. cc.iiij. xij

Sanctum Botulphum. lxij.qr. De
 farina bult' lxij.qr.
 furfure xxij.qr .j.bs. dim' bs.

Grymmesby. xliij.qr De quibus de
 farina bult' xliij.qr
 furfure .xliij.qr
 iuxta respons' pistorum ad hoc electorum et iuratorum.

SUMMA TOCIUS FARINE BULT' .CCXXVIJ.qr. .j.bs. dim' bs.
 Et summa tocius furfuris .iiij.xv.qr dim'qr .j.bs. dim'
 bs. de cuius precio predictus vicecomes oneratus est
 per quoddam cyrographum huic consutum.

SUMMA CARNIUM IN COMITATU PREDICTO CAPT'
 xvj. carcoss' bouina
 xliij. bacon' et dim'.

EXPENSE FACTE CIRCA BLADA PREDICTA

In multura .cxxxv.qr frumenti apud Linc' .xxxiiij.s.
 ix.d. videlicet pro quart' .iiij.d. Item in multura
 .lxij.qr frumenti apud Sanctum Botulphum .xv.s.vj.d.
 vide. pro quart' .iiij.d. Item in multura .xliij.qr
 frumenti apud Grymmesby .x.s.vj.d. vide. pro quart'
 .iiij.d.

Summa lix.s.ix.d.

In bultacione farine proven' de blado molito apud
 Linc' videlicet cxxxv.quart' .v.s.vij.d.ob' videlicet
 pro quart' .ob. Item in bultac' far' provenient' de
 blado molito apud Sanctum Botulphum videlicet .lxij.
 quart' .ij.s.vij.d. videlicet pro quart' .ob. Item in
 bult' farine proven' de blado molito apud Grymmesby videlicet
 .xliij. quart' .xxj.d. videlicet pro quart' .ob.

Summa .ix.s.xj.d.ob.

In xl. ulnis canabi empt' apud Linc' pro loco bul-
 tacionis farine facto ad modum granar' .xj.s.viiij.d.
 prec' ulne .iiij.d.ob. Item in .xx. ulnis canabi empt'
 apud Sanctum Botulphum pro eodem .v.s.x.d. prec' ulne
 .iiij.d.ob. In .xx. ulnis grosse tele empt' apud Grym-
 mesby pro eodem .iiij.s.iiij.d. prec' ulne .ij.d.

Summa .xx.s.x.d.

In cariag' .cxxxv.quart' frumenti molit' apud Linc'
 de granario usque ad molend' et de molend' usque ad
 locum bult' .iiij.s. Item in cariag' bladi molit'
 apud Sanctum Botulphum ad molend' et de molendino .ij.
 s.vj.d. Item in cariag' bladi moliti apud Grymmesby
 ad molend' et de molend' .xliij.d.

Summa .vj.s.viiij.d.

In .xxxvij. ulnis grosse tele empt' pro saccis faciend' pro blado apud Linc' recept' portando et cariendo de quibus facti fuerunt .x.sacci .iiij.s.vij.d.ob. prec' ulne .j.d.ob. Item in .xvj. ulnis grosse tele pro portag' et caria' bladi recepti apud Weynflet empt' de quibus facti fuerunt .iiij^{or}. sacci .ij.s. prec' ulne .j.d.ob. Item in .lx.saccis usitat' empt' pro caria' bladi ultra mare et pro portag' et caria' bladi recept' apud Sanctum Botulphum et apud Grymmesby .xv.s. prec' sacci .iiij.d. Item in .cxj. saccis usit' empt' pro eodem .xxvij.s.ix.d. prec' sacci .iiij.d.

Summa .xlix.s.iiij.d.ob.

In .xiiij. tonell' empt' apud Linc' pro farina ibidem bult' imponend' .xix.s.vj.d. prec' tonelli .xviij.d. Item in .xxij. barell' empt' ibidem pro eodem .xviij.s. iiij.d. prec' barell' .x.d. Item in stipend' .ij. hominum reparant' mundant' et refic' tonell' et barell' predictos per .xij. dies. viij.s. videlicet cuilibet eorum per diem .iiij.d. Item in circulis et clavis empt' pro eisdem .vij.s.v.d. Item in .v. doliis de Ryn empt' apud Sanctum Botulphum pro farina ibidem bult' imponend' .xij.s.vj.d. prec' dolii .ij.s.vj.d. Item in .v. tonell' empt' ibidem pro eodem .viij.s.iiij.d. prec' tonelli .xx.d. Item in stipend' unius hominis reparant' mundantis et reficient' dolia et tonell' predict' per .viij. dies .ij.s.vij.d. videlicet per diem .iiij.d. Item in circulis et clavis empt' pro eisdem .ij.s.ij.d. Item in viij. tonell' empt' apud Grymmesby pro farina ibidem bult' imponend' .xiiij.s.iiij.d. prec' tonell' .xx.d. Item in circulis et clavis empt' pro eisdem .xv.d.ob.

Summa .iiij.lib.xiiij.s.vj.d.ob.

In stipend' .xij. portitorum apud Linc' portant' blada de granar' usque ad batillos per .iiij. dies .ix.s. videlicet cuilibet eorum per diem .iiij.d. Item in stipend' .iiij. portitorum ibidem per unum diem pro eodem .xij.d. videlicet cuilibet eorum per diem .iiij.d. Item in stipend' polenar' transvehent' .xiiij. tonell' et xxij. barell' usque ad batillos ibidem .vj.s.xj.d. videlicet pro tonello .iiij.d. et pro barillo .ij.d. Item in stipend' .xvj. portitorum apud Sanctum Botulphum per .xij. dies pro blado ibidem recept' et pro blado ven' de Linc' portando usque ad magnas naues .xlvij.s. videlicet cuilibet eorum per diem .iiij.d. Item in stipend' polenar' transvehent' .x. dolia et tonell' ibidem impleta et .xiiij. tonell' et .xxij. barell' venient' de Linc' usque ad magnas naues apud Sanctum Botulphum .ix.s.v.d. videlicet pro quolibet tonello .iiij.d. et pro quolibet barell' .ij.d. Item in stipend' .vj. portitorum apud Weynflet per iiij. dies .vj.s. videlicet cuilibet eorum per diem .iiij.d. Item in stipend' .viij. portitorum apud Grym-

mesby per iiiij. dies .viiij.s. videlicet cuilibet eorum per diem .iiij.d. Item in stipend' polenar' transvehent' .viiij. tonell' ibidem implet' usque ad magnas naues .ij. s. videlicet pro quolibet tonello .iiij.d.

Summa .iiiij.lib.x.s.iiiij.d.

In carriacione .clxxix.quart' frumenti .dim' quart' j. pc. de Linc' usque ad Sanctum Botulphum per aquam .xxij. s.v.d.qu. videlicet pro quolibet quart' j.d.ob. Item pro carriacione .lxv.quart' .j.bs. fab' et pis' ibidem .viiij.s.j.d.ob.qu. videlicet pro quart' .j.d.ob. Item pro carriacione .cxxxiiij. quart' .dim' quart' .j.pc. ordei .xj.s.j.d.ob. videlicet pro quart' .j.d. Item pro carriacione .cclxvij. quart' .j.bs.dim' bs. auen' ibidem .xvj.s.viiij.d.ob. videlicet pro quart' .ob.qu. Item in conduccione dennag' pro batill' predicta blada cariant' .ij.s.x.d. Item in carriacione predictorum .xxxv. tonellorum et barillorum de Linc' usque ad Sanctum Botulphum per aquam. que continebant .cxxiiij. quart' .j.bs. dim' bs. farine .xv.s.v.d. videlicet pro quart' .j.d.ob.

Summa .lxxvj.s.viiij.d.

In conduccione .v. nauicularum cariantium .d.xl. quart' blad' de Sancto Botulpho usque Weynflet ad maiores naues .xv.s. videlicet cuilibet nauicule .iiij.s. Et in conduccione unius nauicule per se pro eodem .ij.s. iiij.d. Item in conduccione dennag' pro eisdem nauiculis .ij.s.vj.d. Item in conduccione unius nauicule cariant' .xxxij. quart' .vij. estr' bladi de ultimo rem' apud Weynflet usque ad Sanctum Botulphum et pro dennag' eiusdem .viiij.s.vj.d.

Summa .xxviiij.s.iiij.d.

In stipend' .ij. hominum recipient' et mensurant' blad' apud Linc' ad granarium et de granario usque ad batillos per .xvj.dies .viiij.s. videlicet cuilibet eorum per diem .iiij.d. In expens' unius clerici existentis ibidem per idem tempus ultra recepcionem et liberationem blad' predict' .v.s.iiiij.d. videlicet per diem iiiij.d. Item in stipend' .iiiij. hominum recipient' et mensurantium blad' apud Sanctum Botulphum per .xiiij.dies .xiiij.s. videlicet cuilibet eorum per diem .iiij.d. Item in expens' unius clerici existentis ibidem per idem tempus ultra recepcionem et liberationem blad' predict' .vij.s. videlicet per diem .vi.d. Item in stipend' .ij. hominum recipient' et mensurantium blad' apud Weynflet per .x. dies .v.s. videlicet cuilibet eorum per diem .iiij.d. Item in expensis unius clerici existentis ibidem per idem tempus ultra recepcionem et liberationem blad' predict' .v.s. videlicet per diem .vj.d. Item in expensis .ij. hominum recipientium et mensurantium blad' apud Grymmesby per viij.dies .iiiij.s. videlicet cuilibet

eorum per diem .iiij.d. Item in expensis unius clerici existentis ibidem per idem tempus ultra recepcionem et liberacionem blad' predict' .iiij.s. videlicet per diem .vj.d.

Summa .liij.s.iiij.d.

In fretag' nauis Iohannis de Nasingges que vocatur Petre de Sancto Botulpho usque in Flandr' que recepit .cclxvj. quart' .dim' gr. frumenti .lxxvj.s.vj.d. Et in conduccione dennag' eiusdem .viiij.s.

In fretag' nauis Stephani de Stanham que vocatur Katherine de Sancto Botulpho que recepit .clij. quart' .dim' quart' fab' et pis' usque ad partes Flandr' transuehend' .lxvij.s.vj.d. Et in conduccione dennag' eiusdem .viiij.s.vj.d.

In fretag' nauis Willelmi de la Bothe que vocatur Jonette de Sancto Botulpho usque in Flandr' que recepit .xj. dolia farine continent' liiij. quart' Et lxxiiij. quart' et dim' quart' fab' et pis' Et .c.xlv. quart' auen' .xiiij. carcos' bouina et dim' .xxxiiij. bacon' et dim' .lxvij.s. vj.d. Et in dennag' eiusdem .vij.s. Et in factura cuiusdam corde .xij.d.

In fretag' nauis Alexandri Pyg' de Wynteringham que vocatur Godyer de Sancto Botulpho usque in Flandr' que recepit .xxxiiij. tonell' farine continent' .cxxxj. quart' .j.bs. dim' bs. farine. Et .ccccxix. quart' auen' Et .c.xj. quart' ordeï .lxxv.s. Et in dennag' eiusdem .ix.s.ij.d.ob. Et in uno Lodemanno conducto pro conducend' nauis extra portum .iiij.s.

In fretag' nauis Laur' fil' Hugonis et Walteri fil' Alani que vocatur Belle de Weynflet usque in Flandr' que recepit .c. quart' frumenti. Et .c.xx. quart' auen' .xxx.s. Et in dennag' eiusdem .dim' m.

In fretag' nauis Laur' fil' Hugonis que vocatur Blythe de Weynflet usque in Flandr' que recepit .c.x. quart' .dim' bs. frumenti. Et xcii.¹ quart' auen' .lvj.s.iiij.d. Et in dennag' eiusdem .dim' m.

In fretag' nauis Alani de Wrangel et Petri fil' Haconis que vocatur Godyer de Weynflet usque in Flandr' que recepit .c.xxxv. quart' frumenti. Et .lix. quart' fab' et pis' .xlviij.s.ix.d. Et in dennag' eiusdem .dim' m.

In fretag' nauis Simonis de Wrangel et Thome de Swyne que vocatur Faucon de Weynflet usque in Flandr' que recepit .lxxx.² quart' frumenti. Et .lx. quart' ordeï .xxv.s. Et in dennag' eiusdem .vj.s.

1. ms. ^{xx}liij.xij.

2. ms. ^{xx}liij.

In fretag' nauis Roberti fil' Alani de Germethorp' que vocatur Blythe de Grymmesby usque in Flandr' que recepit lxxxii. l. quart' frumenti. Et lj. quart' .dim' quart' et dim' bs. fab' et pis'. Et .v. quart' .j. bs. auen' .ij. quart' et dim' ordei .viij. tonell' continent' .xliij. quart' farine .xxxviij. s. vj. d. Et in dennag' eiusdem .dim' .m.

In fretag' alterius nauis Petri Duraunt que vocatur Blythe de Grymmesby usque in Flandr' que recepit .clx. quart' frumenti .xxij. quart' .iiij. bs. ordei .lxj. quart' auen' .ij. carc' bouina et dim' et .x. bacon' .lx. s. Et in dennag' eiusdem .dim' m.

In fretag' nauis Iohannis Herny que vocatur Gerlaund de Brummouth' de Sancto Botulpho usque Anuers in Brabanc' que recepit .lxix. quart' .j. bs. frumenti .xx. quart' et dim' fab' et pis' .xj. quart' ordei. Et lxxv. quart' auen' .iiij. li'. Et in dennag' eiusdem .vij. s.

Summa fretag' .xj. nauium predictarum .xxxj. li' .v. s.
 Summa dennag' pro eisdem. lxxix. s. ob.
 Et in quodam Iodemanno et .j. corda .iiij. s.

Summa summarum .lix. li' .xv. s. ix. d. de quarum particulis hec cedula facta est bipartita cuius una pars remanet penes predictum Ricardum de Hetherington clericum ad opus domini regis et altera pars penes predictum Radulfum vicecomitem. Set inde debent extrahi .iiij. s. de dennag' nauis Iohannis Herny pro eo quod non recepit nisi .iiij. solid'.

VENDICIO FURFURIS PROUEN' DE FRUMENTO IN COM' LINC' AD OPUS DOMINI REGIS CAPTO ET MOLITO PER RICARDUM DE HETHERINGTON CLERICUM DOMINI REGIS ET R. PAYNEL VIC' COM' PREDICTI ANNO R.R.E. VICESIMO QUINTO.

Idem Radulfus vic' respond' de lxxix. s. iiij. d. pro lix. quart' et dim' furfuris vend' prouen' de frumento molito apud Linc' iuxta respons' pistorum ciuitatis Linc' ad hoc electorum et iuratorum. prec' quart' .xvj. d. Item Radulfus vic' respond' de .xviij. s. vij. d. pro .xxij. quart' .j. bs. dim' bs. furfuris vend' prouen' de frumento molito apud Sanctum Botulphum prec' quart' .x. d. Idem Radulfus vic' r' de .ix. s. iiij. d. pro xiiij. quart' furfuris vend' prouenient' de frumento molito apud Grymmesby sicut patet in alio cyrographo cui istud cyrographum consutum est. prec' quart' viiij. d.

Summa .cvij. s. iiij. d.

VENDICIO CANABI IBIDEM FACTI

Idem Radulfus vic' r' de .vj.s.viiij.d. pro .xl. ulnis canabi vend' de canabo prius empto pro loco bultacionis farine faciendo apud Linc' prec' ulne .ij.d.

Summa .vj.s.viiij.d.

Summa totius .cxiiij.s.xj.d.

Et memorandum quod de .xx. ulnis canabi empt' apud Sanctum Botulphum pro loco bultacionis farine ibidem, facti fuerunt .vj. sacci. Et de .xx. ulnis grosse tele empt' pro eodem apud Grymmesby, sicut patet in alio cyrographo cui hoc cyrographum consutum est facti fuerunt .v. sacci. Et .x. sacci facti apud Linc' pro portag' et cariag' blad' de .xxxviij. ulnis grosse tele que empte fuerunt ut patet in alio cyrographo. Et .iiiiij. sacci qui facti fuerunt de .xvj. ulnis grosse tele apud Weynflet pro portag' et cariag' bladi ibidem. Et .clxxj. sacci empti sicut patet in alio cyrographo missi fuerant ultra mare in Flandr' cum nauibus blada ibidem transuehentibus iuxta ordinacionis et breuia domini regis super hoc predictis Ricardo et vicecomiti directa.